

AGENDA / ORDRE DU JOUR

- A) **Declaration of Pecuniary Interest / Déclaration d'intérêts pécuniaires**
- B) **Addendum and Agenda / Addenda et Ordre du jour**
- B-1 Resolution to approve the Addendum
B-2 Resolution to adopt the Agenda
- C) **Delegations & Petitions / Délégations et pétitions**
- C-1 WN Chamber of Commerce – Year in Review *(Presenters: Joanne Vallière, Michael Dupuis)*
C-2 **Petition** re: Roadwork on North South Road

COMMITTEE OF THE WHOLE / COMITÉ PLÉNIER

- D-1) **Sewer and Water / Les égouts et l'eau**
- D-1(a) 2020 Sewer and Water Budget
- D-2) **General Government / Gouvernement général**
- D-2(a) Review previous Council priorities (2014-2018)
D-2(b) Hawkers & Peddler's By-Law *(Mayor Savage)*
D-2(c) Request for Hall by Not for Profit Group *(Mayor Savage)*
D-2(d) Tax Relief – Island Properties
- D-3) **Planning / Planification**
- D-3(a) Camping Trailer Consultation Sessions Feedback
- D-4) **Emergency Measures and Public Safety / Mesures d'urgence et sécurité publique**
- D-5) **Environmental / L'environnement**

REGULAR COUNCIL / SÉANCE RÉGULIÈRE

- E) **Planning / Planification**
- F) **Correspondence and Accounts / Courier et comptes**
- F-1 Resolution to adopt the minutes of the budget meeting of Council held on January 25, 2020.
F-2 Resolution to adopt the minutes of the special meeting of Council held on January 27, 2020.

- F-3** Resolution to adopt the minutes of the budget meeting of Council held on January 28, 2020.
- F-4** Resolution to receive the minutes of the West Nipissing Environmental Services Board meeting held November 25, 2019.
- F-5** Resolution to receive the minutes of the NBPSDHU meeting held December 4, 2019.

G) Unfinished business / Affaires en marche

H) Notice of Motion / Avis de motion

I) New Business / Affaires nouvelles

- I-1** Resolution to authorize the Head of Council to approve expenditures for Council Legal Fees

J) Addendum / Addenda

K) Information, Questions & Mayors' Report / Information, questions et rapport du Maire

- K-1** Mayor's Report

L) Closed Meeting / Réunion à huis clos

M) Adjournment / Ajournement

- M-1** Resolution to adopt By-law **2020/13** confirming proceedings of meeting
- M-2** Resolution to adjourn the meeting

REQUEST FOR DELEGATION / WRITTEN SUBMISSIONS

A request for a delegation or presentation before Council must be in the form of a written submission to the Municipal Clerk. The following background information form must be duly completed and submitted by not later than 4:30 p.m. on the Wednesday prior to the requested meeting.

PLEASE PRINT CLEARLY:

Council Meeting Date: **Tuesday February 4, 2020**

Subject: **WNCC - Year In Review**

Name: **Sema Chaudhry**

Address: **173 King Street**

Phone:	Home:	Business / Cell:	Fax:
		753-5672	

E-Mail: **admin@westnipissingchamber.ca**

Name of Group or Person(s) being represented (if applicable) :

West Nipissing Chamber of Commerce

Details of nature of the business/purpose (additional information can be attached separately) :

The WNCC would like to present the Chamber's 2019 Year in Review to the council.

Presentation Requirements:	<input type="checkbox"/> Easel	<input checked="" type="checkbox"/> Projection Equipment
	<input type="checkbox"/> Other:	

Please be advised that your delegation/presentation will be recorded in video and audio format as part of Council meetings and will be subject to media broadcast (Eastlink and internet). Personal information on this form will be used for the purpose of sending correspondence relating to matters before Council and Committee of the Whole. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a report that is available to the general public in a hard copy format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C.M 56, as amended.

Submit your completed form to:

Municipal Clerk (delegate)
Municipality of West Nipissing
101 – 225 Holditch Street
Sturgeon Falls, ON P2B 1T1
e-mail: mducharme@westnipissing.ca or jdupuis@westnipissing.ca
Tel: 705-753-2250 • Fax: 705-753-3950

Visit ... www.westnipissingouest.ca



**CHAMBRE DE COMMERCE
WEST NIPISSING OUEST
CHAMBER OF COMMERCE**

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2019 Year in Review

Board of Directors



West Nipissing Board of Directors – 2019

President – Joanne Vallière: Owner, Audio Video Plus Home Furnishings

Vice-President – Stuart Seville: Owner, Stuart Seville Investments

Treasurer – Sylvain Bilodeau: Caisse Alliance Verner

Past-President – Pat Keough: Larry Lennon Electrical

Board Member – Michael Dupuis: Caisse Alliance Sturgeon Falls

Board Member – Pamela Fraser: Insurance Advisor, Kennedy Insurance

Board Member – Adam Royer: Twiggs Coffee Roasters, Sturgeon Falls

Board Member – Jeremy Seguin: Councillor – Ward 7, Municipality of West Nipissing

Board Member – Marla Tremblay: Principal, Markey Consulting

Digital Communications



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Interested In becoming a Member? Contact Us Today!

This is an application form for local businesses who are interested in joining the West Nipissing Chamber of Commerce. Simply fill out the form below, and a Chamber Member will be in contact with you as soon as possible!

The West Nipissing Chamber of Commerce

Name

Address

Email Phone

Company name

www.westnipissingchamber.ca

<https://www.facebook.com/west.n.chamber/>

[Instagram westnipissingchamber](https://www.instagram.com/westnipissingchamber)

Chamber Events – Business After Hours



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Thursday February 21



Tuesday May 21



Wednesday November 20





Chamber Events – Member Appreciation Night

- Partnered with Chatelane's to offer a free evening of bowling and networking for Chamber members
- Over a dozen businesses in participated



Chamber Events – Community Clean Up



Sturgeon Falls, Field, Verner



Thursday June 20 – Sturgeon Falls

Thursday August 1 – Field

Tuesday August 27 – Verner



Chamber Events – Meet Your Candidates

- Pre-cursor to the Federal Election
- District candidates from the leading 5 political parties
- Moderated Q&A format
- Standing room only crowd at Marcel Noel Hall



Chamber Events – Small Business Week Event

- Open-air networking event in the open lot formerly 202 King Street
- Networking and promotion of chamber member businesses and organizations





Chamber Events – Business Excellence Awards

- The WNCC Business Excellence Awards held on **Saturday May 4** was another successful event that saw both a record number of categories and new Chamber Member winners. The evening was hosted by Joanne Vallière and Drew Ferris and all agreed it was a wonderful celebration of the local business community!



Chamber Events – Feast on the Farm

- 6th Annual in partnership with Leisure Farms
- Flagship event
- Sold-out
- New and returning chefs/restaurants from both West Nipissing and North Bay



Chamber Events - Small Business Holiday Party



- 2nd annual
- Over 25 businesses and organizations
- Sit down dinner, live entertainment and festive fun!
- Nearly triple the number of guests from 2018



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Sneak Peak – 2020

Chamber Events – 2020 Plan



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January Business After Hours Art Studio Wed. Jan. 22 Strategic Partnership Meetings w/ CANO and ENDM April Annual General Meeting Thurs. Apr. 23 July Business After Hours October Small Business Week Event	February Presentation to WN Council Tues. Feb. 4 MAT Tax Presentation from Destination Northern Ontario Mon. Feb. 24 May Business After Hours August Feast on the Farm Sun. Aug. 9 November Business After Hours	March WNCC Move Mon. Mar. 2 International Women's Day Fri. Mar. 6 June Business After Hours Expressions Art Gallery September Business After Hours December Small Business Holiday Party Sat. Dec. 12
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Chamber Events - MAT Presentation



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- Destination Northern Ontario (RTO13) presentation on the ins and outs of implementing a Municipal Accommodation Tax (MAT)
- Monday February 24 at Club de l'Amitié in Verner

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WEST NIPISSING CHAMBER OF COMMERCE PRESENTS:
DESTINATION NORTHERN ONTARIO -
THE MUNICIPAL ACCOMMODATION TAX (MAT) &
ITS BENEFITS TO TOURISM

MONDAY, FEBRUARY 24 | CLUB DE L'AMITIÉ VERNER | 6 PM

The largest Regional Tourism Organization funded by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries will discuss opportunities to increase tourism to West Nipissing.

LA CHAMBRE DE COMMERCE DU NIPISSING OUEST PRÉSENTE:
DESTINATION NORTHERN ONTARIO -
LA TAXE D'HEBERGEMENT MUNICIPAL (MAT) ET SES AVANTAGES
POUR LE TOURISME

LENDI 24 FÉVRIER, CLUB DE L'AMITIÉ, VERNER 18H

La plus grande organisation touristique régionale financée par le ministère du Patrimoine, des Sports, du Tourisme et de la Culture de l'Ontario discutera des possibilités d'accroître le tourisme à Nipissing-Ouest.

RSVP
705-753-5672 | admin@westnipissingchamber.ca

Thank You!

LETTER OF PETITION

January 28, 2020

To: Council Members and Public Works Department

Re: Roadwork necessary on North South Rd

On North South Rd over the last few years some of us have incurred significant damages on our vehicles, commercial vehicles and especially agricultural machinery.

A few years ago we were told that North South Rd was to be upgraded (brushing, ditching, gravel) right after McDonald Rd and before old Hwy 17. The brushing was done on North South Rd in the fall by Yves Roy Construction. The same year the ditching was done on McDonald Rd by the same contractor. We expected the ditching and gravel to begin on North South Rd the following year as is usually common practice. We are still waiting....

There may not be a lot of residents on North South Rd, but it is the main artery for all or most of us on Piquette Rd, Milrand Rd, Michel Rd, Dalcourt Rd, Cretien Rd, Carmen Rd and Claude Rd to get to Hwy 17 to go to Sudbury. The alternative route when North South Rd is in bad condition is to drive all the way to Hwy 64, then Verner to Hwy 17. This is very time consuming and costly.

We certainly hope that you hear our concerns and put the repairs needed to North South Rd on your agenda for 2020.








Thank you.

Please find attached the signatures of those in favour of this petition.

Name

Address

Signature

1	Clarice Geltink	721 Piquette Rd	
2	Mark Geltink	721 Piquette Rd	
3	Bruce	647	BR
4	Berthe Larison	647 piquette Rd	Berthe Larison
5	Joulyne Gingras	740 Piquette Rd	Joulyne Gingras
6	Luc Gingras	740 Piquette Rd	Luc Gingras
7	Cynthia Doozy	802 Piquette Rd	Cynthia Doozy
8	Bob Doozy	802 PIQUETTE RD	
9	Alex Doozy	802 Piquette Rd.	Alex Doozy
10	Tamara Krause	840 Piquette Rd	Tamara Krause
11	BEN KRAUSE	840 PIQUETTE	
12	Frank Pacheco	902 Piquette Rd.	FRANK PACHECO
13	Sharon	902 Piquette Rd	SHERON PACHECO
14	Tracy Deraon	917 Piquette rd	
15	Joey Piquette	917 Piquette rd	Joey Piquette
16	Marie Lafreniere	628 North + South Rd.	Marie Lafreniere
17	Sherry Lafreniere	628 North + South rd.	Sherry Lafreniere
18	Kyle Lafreniere	628 North + South rd.	Kyle Lafreniere
19	Luc Lafreniere	67 Dalcourt Rd.	Luc Lafreniere
20	Sarah Lafreniere	628 North + South Rd.	Sarah Lafreniere
21	Jacobs Lafreniere	628 North + South Rd.	Jacobs Lafreniere
22	Jacinte Dalcourt	24 Dalcourt	Jacinte Dalcourt
23	NORMAND DALCOURT	24 DALCOURT	NORMAND DALCOURT
24	Ghyslain Fournier	46 CARMEN RD	Ghyslain Fournier
25	Ghyslain Fournier	46 Carmen Rd	
26	TOMMY FOURNIER	80 CARMEN RD	

Name

Address

Signature

27	Celine Piette	50 Cannon Rd	Celine Piette
28	Jacky Fournier	579 MillRand	Jacky Fournier
29	Andre Fournier	618 MillRand	Andre Fournier
30	JACQUES DALE	691 MILLRAND	Jacques Dale
31	Rod SPAIN	915 MILLRAND	Rod Spain
32	Mide Legan Id	821 Michel Rd	Mide Legan
33	ELEWANA	792 MICHEL RD.	Elewana
34	Andrew Bell	736 Michel Rd	Andrew Bell
35	Tacyany	" " "	Tacyany
36	Sandra Pellerin	730 Michel Rd	Sandra White
37	Norman White	" " "	Norman White
38	WES REID	708 MICHEL RD	Wes Reid
39	KATE REID	708 MICHEL RD	Kate Reid
40	FELNY FORT	608 Michel Rd	Felny Fort
41	Belles Chute	490 MILLRAND Rd.	Belles Chute
42	Adang Chute	490 millrand Rd	Adang Chute
43	Rhesnon Medland	700 piquette Rd	Rhesnon Medland
44	Stephane Beaulieu	610 Piquette Rd	Stephane Beaulieu
45	Jacynthe Beaulieu	610 Piquette Rd	Jacynthe Beaulieu
46	Francois Pedneault	601 Piquette Rd	Francois Pedneault
47	Marce Michel-Pedneault	601 Piquette	Marce Michel-Pedneault
48	Michaela Bojan Ka	889 Piquette Rd.	Michaela Bojan Ka
49	Haitlyn MAMMIS	728 North + South	Haitlyn MAMMIS
50	Cory de Jong	728 North + South	Cory de Jong
51	RAYMOND Pellerin	200 Piquette Rd.	Raymond Pellerin
52	Fern Pellerin		

2020 BUDGET WATER AND WASTEWATER

February 2020
Workbook



West Nipissing Ouest



Water and Wastewater

The Water and Wastewater department is responsible for the treatment, supply and delivery of safe drinking water as well as the reliable collection and treatment of wastewater. The department operates in a highly regulated structure of federal, provincial and municipal regulations, policies and standards. The Verner facilities are operated by the Ontario Clean Water Agency (OCWA).

Facilities

Field Wastewater Treatment Plant
Sturgeon Falls Wastewater Treatment Plant
Sturgeon Falls Water Treatment Plant
Verner Water Treatment Plant (Operated by OCWA)
Verner Lagoon (Operated by OCWA)

Services

Deliver safe drinking water to the community
Provide reliable and sanitary sewage collection
Supply water for firefighting services where drinking water is available

In 2019

- We received approximately **290** Distribution and Collection related service requests
- The Sturgeon Falls Water Plant supplied over **1.4 million cubic metres** of drinking water to 8000 residents
→ Equivalent to **5600 Olympic Swimming Pools**
- The Sturgeon Falls Wastewater Plant treated over **2 209 000 cubic metres** of wastewater
- The Verner Water Plant supplied over **119 000 cubic metres** of drinking water to 1000 residents
→ Equivalent to **476 Olympic Swimming Pools**
- The Verner lagoons treated over **257 000 cubic metres** of wastewater

Focus and Goals

- Continue to provide safe and reliable services
- Ensure safe drinking water and properly treated wastewater
- Cost effective services
- Preventive maintenance and upgrades of equipment
- Emergency preparedness
- Forecast and plan to ensure sustainability and growth





2020 Budget Highlights

- Maintenance and upgrades of various plant equipment
- The purchase of critical water plant equipment as identified in the risk management process
- Directionally drill new watermain and sanitary forcemain under Highway 17 and railway tracks
- Engineering design services for Nipissing, Ethel, Main, King, and Salter Streets (to be shovel ready for grants)
- Trial use of potassium permanganate as an alternative treatment to remove manganese in the Verner water supply

Previously approved projects

- Conduct a Municipal Class Environmental Assessment to determine preferred option to supply drinking water in Verner





2020 Budget

	2019			2020	
	Actual	Budget	Variance	Budget	Variance
Revenues					
Provincial Grant	-	-	-	-	-
Rate Revenue	5,742,816	5,629,776	113,040	5,729,776	100,000
Interest Revenue	19,571	15,000	4,571	15,000	-
Other Income	5,841	34,500	(28,659)	34,500	-
West Nipissing Power Generation	70,000	70,000	-	70,000	-
Total Revenues	5,838,228	5,749,276	88,952	5,849,276	100,000
Expenditures					
HR Costs					
Salaries & Wages	929,530	980,847	51,317	1,044,380	(63,533)
Benefits	237,665	240,267	2,602	266,699	(26,432)
Education	19,951	25,000	5,049	25,000	-
Total HR Costs	1,187,146	1,246,114	58,968	1,336,079	(89,965)
Operating Costs					
Advertising	286	500	214	500	-
Contractors	200,825	180,000	(20,825)	220,000	(40,000)
General Insurance	139,269	139,269	(0)	161,269	(22,000)
Interest on Loans	444,182	449,264	5,082	407,233	42,031
Materials & Supplies	99,498	142,750	43,252	142,750	-
Office Supplies	29,853	35,165	5,312	35,800	(635)
Process Materials	687,358	685,250	(2,108)	715,250	(30,000)
Professional Fees	15,769	20,000	4,231	20,000	-





Repairs & Maintenance	182,912	120,000	(62,912)	123,000	(3,000)
Services and Rents	289,444	295,070	5,626	295,070	-
Special Projects	-	-	-	-	-
Utilities & Telecommunication	520,830	546,308	25,478	551,659	(5,351)
Vehicle Expenses	20,023	21,000	977	21,000	-
Total Material, Supplies & Rents	2,630,249	2,634,576	4,327	2,693,531	(58,955)
Total Expenditures	3,817,395	3,880,690	63,295	4,029,610	(148,920)
Net Surplus (Deficit) Operations	2,020,833	1,868,586	152,247	1,819,666	(48,920)
Transfer to Reserve	1,125,000	1,125,000	-	1,125,000	-
Contribution from Reserve	(626,476)	(904,242)	(277,766)	(1,409,007)	504,765
Funding	(114,276)	(625,869)	(511,593)	(281,493)	(344,376)
Other revenue	-	-	-	-	-
Total Change in Reserves	384,248	(405,111)	(789,359)	(565,500)	160,389
Repayment to General Reserve	-	-	-	-	-
Payments on Loans	364,975	743,586	378,611	783,863	(40,277)
Total Change in Financing	364,975	743,586	378,611	783,863	(40,277)
Capital Assets					
Capital expenditures-Infrastructure	530,391	1,092,061	561,670	1,260,000	(167,939)
Capital expenditures-Equipment	210,361	438,050	227,689	365,500	72,550
Capital expenditures-Fleet	-	-	-	65,000	(65,000)
Total Capital Assets	740,752	1,530,111	789,359	1,690,500	(160,389)
	1,489,975	1,868,586	378,611	1,908,863	(40,277)
Surplus (Deficit)	530,858	0	530,858	(89,197)	(89,197)





Budgeted Rate Revenue for 2019	5,629,776
% Rate increase	1.58%
Budgeted Rate Revenue for 2020	5,818,973

1% represents 56,298

Reserve Position as of December 31, 2019

Opening Balance 2019	447,525
Approved Transactions in 2019	
<hr/>	
Interim Balance 2018	447,525
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Surplus from 2019	530,858
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Ending Balance 2018	978,383
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Summary of Dedicated Reserves as of December 31, 2019

	Opening Balance	Additions	Transfer to Capital Fund	Reserve Available	Expenditure	Ending Balance
Equipment	96,626	25,000		121,626	-	121,626
Infrastructure	1,186,284	1,100,000		2,286,284	626,476	1,659,808
Infrastructure (Planning)	18,037	-		18,037		18,037
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	1,300,947	1,125,000	-	2,425,947	626,476	1,799,471
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Rates

	2019 Rate	Proposed 2020 Rate
Water service	\$608.49	\$618.13
Sanitary sewer service	\$760.61	\$772.66
Both water and sewer	\$1,369.10	\$1,390.79

Infrastructure

Project	2019 Approved	2020 Requests
Field Wastewater Treatment Plant		
Modulating control valve for raw inlet		\$8,000
Spare chemical pump		\$2,500
Programming (will make up list)		\$10,000
Total Field WWTP		\$20,500
Sturgeon Falls Wastewater Treatment Plant		
Digester cleanout	\$60,000	\$80,000
Digester mixer rebuild (2)	\$20,000	\$50,000
Spare chemical pumps (2)		\$5,000
Grit Auger	\$40,000	\$0
Truck		\$65,000
Total Sturgeon Falls WWTP		\$200,000
Sewage Pump Station / Sewage Lift Station		
Lisgar cover/guides/rails	\$20,000	\$20,000
Flyght pump for Bay/Cache Bay		\$30,000
Spare e-one pumps		\$4,000
Mageau pump base repair		\$20,000
Total SPS / SLS		\$74,000



**Sturgeon Falls Water Plant**

Raw water control valve		\$10,000
Backwash flow control valve		\$10,000
High lift pump - preventive maintenance		\$40,000
Settled supernatant valve		\$5,000
Settled sludge dump valve		\$5,000
Facility maintenance		\$30,000
Computers/SCADA		\$10,000
Office Computer		\$3,000

Total Sturgeon Falls WTP		\$113,000
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Distribution / Collection

2 manholes in Cache Bay		\$50,000
Verner DW EA Study	\$100,000	\$100,000
Designs - Nipissing, Ethel, King, Main, Salter	\$65,000	\$200,000
Sanitary forcemain (Holditch) and watermain	\$350,000	\$900,000
CGIS Mapping project		\$10,000

Total WD / WWC		\$1,260,000
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Verner

Intake		\$7,000
Level Sensors		\$5,000
Wet Wells		\$11,000

Total Verner		\$23,000
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Total Projects	\$655,000	\$1,690,500
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MEMORANDUM

D-2(a)

TO: MAYOR and COUNCIL

FROM: Jean-Pierre (Jay) Barbeau, CAO

DATE: January 30th, 2020

SUBJECT: **COUNCIL STRAT PLAN UPDATE 2014-2018 TERM**

As requested please find attached a summary of the wish list made by the Mayor and individual councillors as well as a brief explanation as to the status of requested projects.

Usually, at the beginning of every Council term, the Mayor and Council meet along with senior staff to receive a more localized initial briefing on the local municipal context specifically dealing with the Corporation of West Nipissing. This gets us on the same page. I understand that Councillors receive generalized training with various groups (AMO, AMCTO, etc.) but in my experience, it has been beneficial to also receive information during these "mini retreats" that is specific to our operation. A copy of the manual which was provided at that session is available to this Council for perusal should they wish to.

After receiving the West Nipissing overview, the Mayor and Councillors then discuss issues that are near and dear to them that they would like to address during the term of Council. Staff listens to the issues and is then better able to appreciate and meet the needs of the individual elected officials. Upon reviewing the list for last term, I am very proud of our staff and all employees of the Municipality for addressing most items provided by the previous Council. There are some items that continue to be addressed presently. This despite the very significant challenges last term with major projects and operational deviations. We were faced with human resource issues dealing with Public Works in 2016. The OPP transition process impacted our resources to a much greater degree than similar projects for 2018 and 2019. The International Plowing Match also was not factored in which placed a further strain on all resources.

With these projects, in addition to the regular day to day work that is required to offer the many services to our residents, I want to commend all staff for their effort, commitment and professionalism. They continue to do so this term as well.

Respectfully,

Jay Barbeau, CAO

from the desk of :
Jean-Pierre (Jay) Barbeau
C.A.O.

Joie de vivre



West Nipissing Ouest

Joie de vivre

www.westnipissingouest.ca

2014 – 2018 COUNCIL ROUND-TABLE PROJECT WISH LIST

MAYOR SAVAGE

	NOTES
Community Strategic Plan	Underway – RFP issued
What do community partners see?	To be covered in Strategic Plan Consultation
Cache Bay Dock	Complete
Asset inventory – assessment – working/non functional	Continuous – Asset Management Plan
Rehabilitate aged/worn assets (flowerpot model)	Done and ongoing
Community garden	Not done
Community planning	Part of Strategic Plan
North Bay Mattawa Conservation Authority – lack of response to complaints/inspection program	Done – part of camping trailer discussions
Invite NBMCA for presentation to council	Same as above
Park/Asset names – re-visit	Not Done
Downtown Wish List, lights, flower pots, trees, trash receptacles	Completed thanks to excellent volunteer partners & support

GUY FORTIER

	NOTES
Lavigne Dock	Complete
Lavigne Rink – acquire property	Complete
Fire Hall in Lavigne	Progress made – ongoing
Lavigne Community – Defibrillator Equipment/Training	Complete

YVON DUHAIME

	NOTES
WiFi in arenas	Complete
Pie XII – move rink to Sturgeon Falls	Complete
Review of Pie XII re-design park	Incomplete
Splash Park – Sturgeon Falls	Complete
Pool Entry/Washrooms	Complete
Re-develop Goulard park	Design Complete
School Boards/Soccer Association – Fields	Not Complete
Field Assessment – Usage	Not Complete
Dog Park	Not Complete
Signage for poop/scoop	Complete
Pet Policy for Playgrounds	Not Complete
Snow dump run-off (off Coursol/Railway)	Complete – part of property disposed of to Aboriginal Housing and additional lands adjacent to PW yard being utilized

**2014 – 2018 COUNCIL
ROUND-TABLE PROJECT WISH LIST**

GUILLES TESSIER

	NOTES
Signage – Community of field entrances	Complete
Dump Station for Trailers in Field	Complete
Crystal/Field docks	Complete
Launch/Dock in Crystal Falls	Complete
Use Fill from Municipal Fill projects to raise flood plain in Field	Not Complete – would require studies and permits
Demolish School in Field	Not Complete
Property Standards enforcement	Complete
By-Law enforcement Officer	Complete

ROLAND LARABIE

	NOTES
Internet in River Valley and Kipling	School partnership completed (RV)
Cell Towers in River and Kipling	Kipling Complete
Street lights on Main –drag – River	Complete
Skating Rink – Plastic for outdoor rinks	Not Complete
Natural Gas Service for River Valley	Ongoing discussions with Enbridge
Ward 6 Gravel /ditching	Complete/ongoing
Rail bed project – complete	Ongoing
Bridge	Complete
Permanent Spring Bear Hunt	Reinstated
Identification (Signage) for roads not on GPS	Complete
House number in Town - policy/bylaw?	Complete
Hector Road – Municipal Snow removal	Complete
Dock in River Valley	Ongoing

NORMAND ROBERGE

	NOTES
Municipal Pit/Quarry for roads/capital projects	Not feasible
Asphalt Plant	Not feasible
modular home manufacturing plant	Economic Development
Signs for Verner	Complete
Standardize signage design	Complete
Clean up creek between highway and Railway Track – MTO?	Completed along with Highway Upgrades
Council Documentation	Complete – ongoing
Frequency of meetings	Complete
Evaluation of donation policy	Complete

**2014 – 2018 COUNCIL
ROUND-TABLE PROJECT WISH LIST**


LÉ MALETTE

	NOTES
Splashpark/playground in Cache Bay	Complete
Vacant Land (old rink) in Cache Bay	Protected Wetland
Cache Street – Capital project	Complete
Sidewalks to end of Ritchie	Not Complete

DENISE BRISSON

	NOTES
24 Hour Ambulance	Complete
Community Information Sessions – Planning Dept. with Contractors	Completed
Mayor initiated stakeholder meetings	Not aware
ED Structure – next four years	Implementation ongoing
Communication Plan	Ongoing
Maximize Provincial Federal funding opportunities	Continuous – ongoing
Bike/Walking paths – study feasibility	Voyageur Cycling Route
Capitalize on “bedroom community” identity	Ongoing – Economic Development
By-law officer	Complete
Two (large/small) dog parks – see North Bay model	Not Complete

SCHEDULE "B" OF BY-LAW 2019/24

 AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:		Feb 4 , 2019	
Name of Requestor:	Joanne Savage Mayor		Date submitted: Jan 28, 2019
Address:	Full mailing address:		
Phone:	Home:	Business / Cell: 705 498 0819	Fax:
E-Mail:			
Requested Agenda Item/Subject:		Hawker & Pedlar Bylaw	
Additional details / background information:		<input checked="" type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately	
<p><i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i></p> <p>Bylaw requires housekeeping amendments Also wish to have Discussion of what bylaw allows ie regarding who can do what where, on or off municipal properties The bylaw prohibits an outside company to rent municipal property to conduct sells of goods that are sold by existing businesses (ie out of town company that wishes to conduct auction to sell furniture) however bylaw doesn't prohibit such company to rent non municipal property to proceed</p>			
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:	JANUARY 28, 2020	Received from:	Mayor Savage
Meeting Date Requested:	FEBRUARY 4, 2020	Mode of Notification:	<input checked="" type="checkbox"/> in person <input type="checkbox"/> by telephone <input type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input checked="" type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):	FEBRUARY 4, 2020		<input type="checkbox"/> Regular meeting <input checked="" type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			



BY-LAW NO. 2016/40

**BEING A BY-LAW RESPECTING THE ISSUANCE OF LICENCES
FOR HAWKERS AND PEDLARS, TRANSIENT TRADERS AND MOBILE FOOD SERVICE EQUIPMENT
IN THE MUNICIPALITY OF WEST NIPISSING**

WHEREAS Section 11 (2) of the *Municipal Act, 2001* provides that a lower-tier municipality may pass by-laws respecting the following:

5. Economic, social and environmental well-being of the municipality.

AND WHEREAS Section 11 (3) of the *Municipal Act, 2001* provides that a lower-tier municipality may pass by-laws respecting the following:

10. Economic Development Services
11. Business Licensing

AND WHEREAS the Council of the Corporation of the Municipality of West Nipissing deems it desirable to enact a Licensing By-Law respecting Hawkers and Pedlars, Transient Traders and Mobile Food Service Equipment.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING HEREBY ENACTS AS FOLLOWS:

SECTION 1 - DEFINITIONS

"Business" means any business wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality and includes:

- (a) trades and occupations
- (b) exhibitions, concerts, festivals and other organized public amusements held for profit or otherwise
- (c) the sale or hire of goods or services on an intermittent or one-time basis and the activities of a transient trader,
- (d) the display of samples, patterns or specimens of goods for the purpose of sale or hire. 2006, c. 32, Sch. A, s. 82, *part*.

but does not include:

- (i) a manufacturing or industrial business, except to the extent that it sells its products or raw material by retail;
- (ii) the sale of goods by wholesale; or
- (iii) the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources.

"By-Law Enforcement Officer" means the By-Law Enforcement Officer as appointed by Council, and any member of the West Nipissing Police Services.

"Chief of Police" means the Chief of Police of the West Nipissing Police Services.

"Clerk" means Clerk of the Municipality of West Nipissing.

"Council" means the Council of the Municipality of West Nipissing.

"Licence" means a licence issued by the Clerk under the terms of this By-law.

"Hawker & Pedlar" means any person, any agent or employee of a corporation who goes from place to place (door-to-door), or to a particular place, with goods, contracts, offer of service, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which orders are taken and that are to be delivered in the Municipality afterwards.

"Medical Officer of Health" shall mean the Medical Officer of Health for the North Bay Parry Sound District Health Unit or delegate for the purposes of this by-law.

"Mobile Food Service Equipment" means any vehicle from which refreshments are sold for consumption by the public and includes, without limiting the generality of the foregoing, carts, wagons, trailers and trucks, irrespective of the type of power employed to move the refreshment vehicle from one point to another.

“Owner – Premises” with respect to premises licenced under this by-law shall mean the registered owner of the land on which the premises are situated and includes a trustee acting on behalf of the registered owner, the estate of a registered owner and a person with a leasehold interest in the land.

“Owner – Business” with respect to a business licenced under this by-law shall mean the person, company or partnership that carries on the business and who’s name appears on the licence issued by the municipality for such business pursuant to this by-law.

“Police Services” means the West Nipissing Police Services.

“Person” includes a corporation and the heirs, executors, administrators or other legal representative of a person to whom the context can apply according to law.

“Place of Business” means any place, premises or location, or part thereof, in or from which a business is carried on, and includes a shop, office or a vehicle for the purpose of carrying on the business.

“Premises” means land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of a Business.

“Prescribed forms” means the form set out in Schedule “B” of this by-law.

“Public Hall” means a building, including a portable building with a seating capacity for over 100 persons, that is offered for use or used as a place of public assembly but does not include a theatre within the meaning of *The Theatres Act*, or a building, except a tent, used solely for religious purposes.

“Resident” means a resident, renting or owning property in the Municipality of West Nipissing.

“Special Event(s)” means any public event endorsed by Council such as festivals, winter carnivals, and trade shows or any private event organized by resident on private property.

“Transient Trader” means:

- (a) includes any person who offers goods, wares or merchandise for sale in any manner in the municipality other than on a permanent basis; does not include persons offering goods, wares or merchandise for sale at the West Nipissing Farmer’s Market.
- (b) no transient trader shall offer goods, wares or merchandise for sale by auction, conducted by himself or by a licenced auctioneer or otherwise or shall offer them for sale in any other manner in the Municipality of West Nipissing without being licenced under the provisions of this by-law.

“Waste” means any food, disposable eating utensils, paper, wood, cardboard, plastic, glass or metal products used in the preparation, serving or consumption of the food or beverages offered for sale from a refreshment vehicle.

SECTION 2 - GENERAL PROVISIONS

2.1 Licensing Powers

The power to licence, regulate and govern a business which includes:

- (a) the power to prohibit the carrying on or engaging in the business without a licence;
- (b) the power to refuse to grant a licence or to revoke or suspend a licence;
- (c) the power to impose conditions as a requirement of obtaining, continuing to hold or renewing a licence
- (d) the power to impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) the power to impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) the power to govern real and personal property used for the business and the persons carrying it on or engaged in it; and
- (g) the power to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licences established by the municipality.

2.2 Administration of by-law

Unless otherwise indicated, the administration of this by-law is assigned to the Clerk who may delegate the performance of his functions under this by-law from time to time as occasion requires.

2.3 Section 2 applies to all other parts

All of the regulations contained in this Section of this by-law shall apply to all licences required under the provisions of this by-law.

2.4 Licence - Display

No person holding a licence issued pursuant to this by-law shall fail to:

- (a) with respect to premises, display the licence in a visible place in or on the said premises; or
- (b) with respect to mobile food service equipment, display the licence in a visible place in or on the said equipment; or
- (c) with respect to an individual, maintain the licence on their person while conducting the activity for which the licence was issued.

2.5 Licence - Application

Applications for all licences issued under the provisions of this by-law shall be made to the Clerk on prescribed forms to be provided by the municipality.

2.6 Licence - Application - Full Information Required

Every applicant shall provide in full, at the time the application is submitted, all of the information requested on the application form including:

- (a) The full name, residence, address, business address and telephone numbers of the applicant and each partner, if any;
- (b) If the applicant is a company, corporation, club or organization, the head office address, business address and telephone numbers as well as the full names, addresses and telephone numbers of the principal officers thereof;
- (c) The names, addresses and telephone numbers of three character references and three business references; as well as:
- (d) payment of the prescribed licence fee set out in Schedule "A" of this by-law;
- (e) any other document or information as may be required in any other part of this by-law.

2.7 Licence Application - Subject to Approval

Every applicant will be subject to approvals from such municipal or provincial departments or agencies as the Clerk deems necessary.

2.8 Contravention - Other laws - Prohibited

The issuance or renewal of a licence is not intended and shall not be construed as permission or consent by the Corporation for the holder of the licence to contravene or to fail to observe or comply with any law of Canada or Ontario or any other by-law of the Corporation.

2.9 Revocation of Licence - Surrendered Voluntarily

The Clerk may revoke a licence which is voluntarily surrendered by the holder for revocation.

2.10 Licence - Property of Municipality - Transfer Prohibited

Every licence, at all times, is owned by and is the property of the Corporation and is valid only in respect of the person and the premises or of the person named therein and for the nature of business stated in the licence, and no licence may be sold, purchased, leased, mortgaged, charged, encumbered, assigned, pledged, transferred, seized, distrained or otherwise dealt with.

2.11 Information held by the Clerk - Open to Inspection

Any application, comment, recommendation, information, document or thing in the possession of the Clerk pursuant to the provisions of this by-law shall be made available by the Clerk for an inspection:

- (a) by any person employed in the administration or the enforcement of this by-law; and
- (b) by any other person upon the consent, satisfactory to the Clerk, of the person, civic department, board, commission, authority or other agency which produced or submitted the application, comment, recommendation, information, document or thing;

subject only to the limitations imposed by the *Municipal Freedom of Information and Protection of Privacy Act*.

2.12 Inspections - West Nipissing Police Services - Other Designated Persons

Subject to Section 2.14 of this by-law, any member of the West Nipissing Police Services or any person designated by the Council to enforce this by-law may, at all reasonable times and upon producing proper identification, enter and inspect any premises or any part of any premises licenced under the provisions of this by-law.

2.13 Obstruct - Person who Enforces

No person shall obstruct, hinder or in any way interfere with any person designated to enforce this by-law.

2.14 Inspection of Dwelling - Police - Search Warrant

Except under the authority of a search warrant issued under the *Provincial Offences Act*, a member of the West Nipissing Police Services or any person designated by the Council to enforce this by-law shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

2.15 Records - To be kept (as required)

No person shall fail to keep any and all of the records required to be kept by the provisions of any section of any Part of this by-law.

2.16 Deficiencies - Specified - Notice to Applicant

Where any determination is made that any premises or person named in the application does not receive the approvals required by this by-law, the reasons for the lack of the required approvals shall be specified, and the Clerk shall notify the applicant of all such reasons.

2.17 Licence - Not to be issued where by-law contravened

No licence shall be issued to any person in respect of any premises in which the carrying on or operation of the trade, calling, business or occupation for which the application is being made is in contravention of any by-law of the Corporation.

2.18 Licence - Term of Expiry

- a) A licence issued under the provisions of this by-law for 'Hawkers and Pedlars' shall be valid only for the period of time for which it was passed. All such licences shall expire on the date specified in the licence.
- b) A licence issued under the provisions of this by-law for 'Transient Traders' shall be valid only for the period of time for which it was passed. All such licences shall expire on the date specified in the licence.
- c) A licence issued under the provisions of this by-law for 'Mobile Food Service Equipment' shall be valid only for the period of time for which it was passed. All such licences shall expire on the date specified in the licence.

2.19 Operating without Valid Licence - Prohibited:

- (a) No person shall, at any location, in the Municipality, carry on the business of "Hawker and Pedlar", or "Transient Trader", or be engaged in services to the public in connection with the business of a "Hawker and Pedlar" or "Transient Trader" without holding a current valid licence for such business issued under the provisions of this by-law.
- (b) No person shall, at any location, in the Municipality, operate any mobile food service equipment without holding a current valid licence for such business issued under the provisions of this by-law.

2.20 Notification of change of address

Every licensee shall notify the Clerk within seven (7) days of any change in his business or home address.

2.21 Standards - maintained

No person licenced under the provisions of this by-law shall fail to maintain, on a continuous basis, the standards and requirements which were necessary to obtain the original approval of the licence application, or have been imposed since the issuance of the licence.

2.22 Licence - Special Events - Exemption

- (a) Notwithstanding any other provisions of this by-law, any vendor selling products at special events only, by invitation, and not at any other location in the Municipality shall be exempt from the requirements to obtain a licence under the provisions of this by-law.

2.23 Exemption from Licence – Flea Market or Antique/Trade Show

A person who offers for sale or sells goods, contracts or offer of service, wares or merchandise to the public at a flea market or antique show, by invitation, or such an event is not required to be licenced under this By-law.

2.24 Exemption from Licence – Mobile Food Service Equipment

Licence fees shall be waived for Mobile Food Service Equipment offering any food for consumption when attending a special event, by invitation, to provide catering services for a specific private or public event.

2.25 Exemption from Licence – Other Circumstances

Section 3 does not apply to a person who hawks, peddles or sells or offers for sale goods, contracts or offer of services, wares or merchandise;

- (i) to wholesale or retail dealers in similar goods, wares or merchandise;
- (ii) if the goods, wares or merchandise are grown, produced or manufactured in West Nipissing; which shall include, but not limited to, local produce stands and seasonal roadside sales (i.e. blueberries)
- (iii) if the intent is to solicit donations or fundraising for school purposes or for a registered charitable organization

2.26 Public Park – Permit by Corporation

No person licenced, or required to be licenced, under the provisions of this by-law shall carry on the business for which a licence was issued in any public park in the Municipality except under a permit of the Corporation.

SECTION 3 – HAWKERS and PEDLARS

3.1 Licenced Activities

- (a) No person without a "Hawker and Pedlar" licence shall go from place to place or to a particular place with goods, contracts, offer of service, wares, or merchandise for sale.
- (b) No person without a licence shall carry and expose samples, patterns or specimens of any goods, wares or merchandise which are to be delivered within the Municipality of West Nipissing.

SECTION 4 – TRANSIENT TRADER

4.1 Licenced Activities

No person without a "Transient Trader" licence shall offer, on an intermittent basis, goods, wares or merchandise for sale in any manner or at any municipality or privately owned property in the municipality.

4.2 Types of Transient Trader Classes

CLASS 1	<p>(a) shall include the sale of goods such as, but not limited to, flowers, fresh produce and fireworks, for a one to three day period from one specific location such as, but not limited to, a parking lot, a service station lot or a vacant commercial lot where the use is permitted in the Zoning By-law.</p> <p>(b) shall include temporary businesses such as, but not limited to, gardening product sales and Christmas tree sales for a specific period of up to six (6) months from one specific location such as, but not limited to, a parking lot or a vacant commercial lot and may include the use of a temporary structure such as a greenhouse or sales office where the use is permitted in the Zoning By-law.</p>
CLASS 2	<p>(a) shall include a temporary business such as for Class 2 above and such youth/student must be attending a Secondary or Post-Secondary Education Facility and/or be enrolled in or funded by a Municipal, Provincial or Federal employment Program. A youth/student shall also be subject to all the provisions of this by-law and amendments thereto.</p>

SECTION 5 – MOBILE FOOD SERVICE EQUIPMENT**5.1 Licensed Activities**

No mobile food service equipment without a licence shall offer, on an intermittent basis in any location, any food for consumption in any manner or at any municipality or privately owned property in the municipality.

5.2 Responsibilities of Operator

No person shall:

- (a) operate a refreshment vehicle on a site located on a municipal sidewalk without consent of the municipality to do so;
- (b) operate a refreshment vehicle at a distance of 30 metres (120 feet) or less from the front entrance of an eating establishment or a place where foodstuffs are offered for sale, if the refreshment vehicle offers for sale the similar food products as does the eating establishment or the place where foodstuffs are offered for sale; unless co-located by expressed invitation of the eating establishment owner.
- (c) fail to display the Mobile Food Service Equipment licence issued under the provisions of this by-law in a prominent location visible to customers;
- (d) allow waste to accumulate at any location during the hours of operation of the said refreshment vehicle.

5.3 Health Considerations

Every person to whom a Mobile Food Service Equipment licence is issued under the provisions of this by-law shall, at all times in respect of the premises or the vehicle for which the licence has been issued hereunder:

- (a) keep the same, together with all utensils and equipment therein, in a clean and sanitary condition to the satisfaction of the Medical Officer of Health;
- (b) when and as often as requested by the Medical Officer of Health to do so, procure and produce to him a certificate of an approved qualified physician, certifying the good health of any person employed in or occupying the said premises or vehicle, including certification that such physician has carried out a physical examination of such persons and has submitted to the medical officer of health such laboratory specimens as the Medical Officer of Health may direct for the purpose of determining that such persons are free from infection or communicable disease; and

after a request referred to in clause 5(b) above, no person in respect of whom such request has been made shall be employed in, be in or occupy the said premises or vehicle without a certificate of the Medical Officer of Health that all requirements have been met.

5.4 Mobile Food Service Equipment - Insurance

Persons to whom a Mobile Food Service Equipment licence is issued under the provisions of this Section of this by-law shall provide proof on insurance coverage of \$2,000,000.00,

per occurrence, public liability insurance coverage with respect to their refreshment vehicle operations.

5.5 Mobile Food Service Equipment – Fire Suppression System

Persons to whom a Mobile Food Service Equipment licence is issued under the provisions of this Section of this by-law shall provide proof of inspection from the Fire Department indicating that an adequate fire suppression system has been installed in the said vehicle.

5.6 Mobile Food Service Equipment - Safety Certification (Propane Components)

No person being the owner or operator of a Mobile Food Service Equipment for which a licence has been issued and which uses propane for the preparation or heating of food products, shall operate or authorize or permit the operation of the Mobile Food Service Equipment without proof of a safety certification of such propane components of the vehicle by a certified and registered gas fitter in accordance with the guidelines of the Technical and Safety Standards Authority, issued within the previous 365 days.

5.7 Approved Mobile Food Service Equipment Sites and Applicable Fees

The following regulations apply for determining permitted Mobile Food Service Equipment locations in the Municipality of West Nipissing:

- (a) the applicant shall provide particulars of the exact location(s) for which the applicant wishes to operate the Mobile Food Service Equipment;
- (b) will operate in designated zones as authorized by the zoning by-law and amendments thereto;
- (c) all such applications will be subject to such approvals as the Municipal Clerk deems necessary;
- (d) all decisions of the Municipal Clerk with respect to refreshment vehicle site approvals shall be final;
- (e) payment of a Mobile Food Service Equipment licence fee as set out in this schedule shall be required prior to issuance of the said licence;
- (f) the Mobile Food Service Equipment licence shall be valid only for the location(s) indicated on the Mobile Food Service Equipment licence and shall not be valid for any other location without authorization from the Municipal Clerk.

SECTION 6 - APPLICATION PROCESS

6.1 Application

- (a) A licence to engage in any activity listed in Sections 3, 4 and 5 of this By-law may be applied for by filing a completed application form, as provided by the Municipality with the Clerk.
- (b) The applicant shall provide to the Municipality any additional information which the Clerk may direct to be furnished.

6.2 Investigation

The Clerk, upon receipt of a completed application form, shall direct any and all investigations which he/she deems reasonably necessary to determine if the proposed activity is in compliance with the terms and conditions of this By-law.

6.3 Issue of Licence

- (1) After review of the application and any investigation undertaken pursuant to Section 6.2, the Clerk shall grant the licence only if:
 - (a) the licence fee, fixed by Section 6.9 and Schedule "A" of this By-law has been paid; and
 - (b) the proposed activity is in compliance with the terms and conditions of this By-law; and
 - (c) the proposed activity is not, nor is it likely to result in a breach of the law; and
 - (d) the proposed activity does not pose an unreasonable risk to public health and safety; and
 - (e) the proposed activity is in no way adverse to public interest.

- (2) A determination by the Clerk as to whether or not to issue a licence pursuant to Section (2) may be reviewed by Council and Council may order that the licence be granted, denied or varied.
- (3) Neither the Clerk nor Council shall deny or vary a licence without first giving seven (7) days notice of a hearing mailed or delivered to the applicant's address, as indicated on the application, whereby the applicant shall be permitted, either personally or through an agent, to appear before Council for a hearing to show cause why the application for a licence should not be denied or varied.
- (4) A hearing pursuant to Section 6.3 (3) and notice thereof shall be governed by the Statutory Powers and Procedures Act.

6.4 Signature

The Clerk, on behalf of the Municipality of West Nipissing, shall sign all licences issued pursuant to this By-law and such licences shall be in the form as Council from time to time designates.

6.5 Partnership

- (1) Members of a partnership, when applying for a licence pursuant to this By-law, shall list the name and address of each member of the partnership.
- (2) A licence issued to a partnership pursuant to this By-law may be issued to one partner only.

6.6 Licence Personal

No person shall enjoy a vested right in the continuance of a licence and upon the issue, renewal, transfer, cancellation, or suspension thereof, the value of a licence shall be the property of the Municipality of West Nipissing.

6.7 Validity of Licence

- (1) No licence issued pursuant to this By-law shall be transferred to another person, or be valid at any designated place, except as indicated thereon, except with the written consent of the Clerk who shall consider Section 5 as well as all other provisions of this By-law, in considering the transfer.
- (2) **Transfer Fee** - The Transfer fee is \$10.00 or the amount of the original licence fee, whichever is smaller.

6.8 Expiry

Any licence issued pursuant to this By-law for activities set out in Schedule "A" of this By-law shall, unless the licence expressly states otherwise, and unless they are sooner forfeited or revoked, in each case, expires on the date specified on the licence.

6.9 Fees

- (1) The respective sums of money set out in Schedule "A" of this By-law, opposite the respective duration of licences are hereby fixed as the amount of the fee for such licence and which shall be paid before the issue of renewal or any licence provided for herein. Unless otherwise specified, the fees shown are for the current calendar year or the portion thereof unexpired on the date of the application.

SECTION 7 - COMPLIANCE

7.1 Posting Up

- (1) Every person who, pursuant to this By-law, obtains a licence which applies to premises, shall post the licence in a visible place on the premises in respect of which the licence was issued.
- (2) Every person who, pursuant to this By-law, obtains a licence shall, upon request from any person duly authorized by the Municipality, produce the licence for inspection.

7.2 Inspection

- (1) Any person duly authorized by the Municipality may, at any reasonable time, inspect as much of any house, place, or premises as is used for any activity in respect of which a licence has been issued or is required under the terms and conditions of this By-law.

- (2) An inspection under Section 7.2 (1) shall not occur in any room or place actually used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under the Provincial Offences Act.

7.3 Application of Schedules

The regulations herein and fees set out in Schedule "A", shall form part of this By-law and every person applying for or holding a licence issued pursuant to this By-law shall, in such application or in engaging in the activity in respect of which the licence is issued, observe, comply with, and be governed by the regulations which relate to such person or activity.

7.4 Revocation

- (1) Where the Council determines upon reasonable grounds that a holder of a licence, issued pursuant to this By-law, has acted in contravention of this By-law, Council may revoke the licence where such power to revoke may, pursuant to the Municipal Act or any other Act, be exercised by By-law of the Council of the Municipality of West Nipissing.
- (2) Council shall not revoke a licence under section 7.4 (1) without first giving seven (7) days notice of a hearing mailed or delivered to the applicant's address, as indicated on the application, whereby the applicant shall be permitted, either personally or through an agent, to appear before Council for a hearing to show cause why the licence should not be revoked.
- (3) A hearing pursuant to Section 7.4 (2), and notice thereof, shall be governed by the Statutory Powers Procedure Act.
- (4) **Suspension** - Notwithstanding Section 7.4 (2), the Clerk may, in the public interest, suspend any licence referred to in Section 7.4 (2) pending final determination under Section 7.4 (2) of the revocation of said licence by the Council of the Municipality of West Nipissing; to be effective immediately upon notice to the licence holder.

7.5 Notice

- (1) Notice of revocation of any licence shall be signed by the Clerk and sent by registered letter to the address given by the licensee in his application for the licence and upon such notice, the licence revoked shall cease and terminate and be of no further effect.
- (2) After notice has been issued under Section 7.5 (1), the licensee shall forfeit possession of the certificate of licence to the Clerk upon demand.

7.6 Power of Power

The exercise of a power under this By-law is in the discretion of the Council and, without limiting such discretion, the Council may exercise its powers if,

- (a) the conduct of the applicant or licensee affords reasonable grounds for belief that the applicant or licensee will not carry on the trade, calling, business or occupation in accordance with the law or with honesty and integrity;
- (b) in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that the trade, calling, business or occupation will not be carried on in accordance with the law or with honesty and integrity.

7.7 The Council may at any time on its own initiative review any action taken by it under this by-law and may confirm or vary such action.

7.8 The Council shall, at the request of the applicant, licensee or former licensee, give reasons in writing for any action it takes under this section.

7.9 Refund of Fee

If a business licence is revoked under this By-law, the former licensee is entitled to a refund of a part of the licence fee proportionate to the un-expired part of the term for which it was granted.

7.10 Applications - Other By-laws

The provisions of this By-law and the issuance of a licence hereunder shall not be deemed to authorize a contravention of any other By-law of the Municipality of West Nipissing.

7.11 Penalty

Any person who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provisions of this By-Law or any licence, permit or order issued pursuant thereto, is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, as amended.

7.12 By-laws no. **2008/44** and **2011/40** and all associated schedules are hereby repealed and replaced with the attached hereto.

This by-law shall come into effect upon the date of passage.

ENACTED AND PASSED THIS 19th DAY OF APRIL 2016 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

MAYOR



CLERK



CREATED : MARCH 2016

BY-LAW 2016/40 LICENCING OF HAWKERS AND PEDLARS, TRANSIENT TRADERS AND MOBILE FOOD SERVICE EQUIPMENT SCHEDULE "A"			
>> RELATING TO FEES FOR LICENCES			
Description of Licence	FEES		
	3 DAYS	SEASON (3 mths)	YEAR
HAWKERS and PEDLARS: <ul style="list-style-type: none"> door-to-door sales expires on date specified on licence 	\$ 250.00	\$ 500.00	\$1,000.00
TRANSIENT TRADERS – CLASS 1 <ul style="list-style-type: none"> temporary vendor expires on date specified on licence 	\$ 250.00	\$ 500.00	\$1,000.00
TRANSIENT TRADERS – CLASS 2 <ul style="list-style-type: none"> Youth/Student Licence expires on date specified on licence 	\$ 50.00		
MOBILE FOOD SERVICE EQUIPMENT <ul style="list-style-type: none"> expires on date specified on licence 	\$ 250.00	\$ 500.00	\$1,000.00

BY-LAW 2016/40 LICENCING OF HAWKERS AND PEDLARS, TRANSIENT TRADERS AND MOBILE FOOD SERVICE EQUIPMENT SCHEDULE "B" APPLICATION FOR LICENCE
--

I hereby make application for a licence as indicated below for the year _____.

✓	TYPE OF LICENCE	FEE (based on Schedule "A")
	Hawker & Pedlar: • door-to-door vendor (expires on date specified on licence)	\$ _____
	Transient Trader- CLASS 1 • temporary vendor (expires on date specified on licence)	\$ _____
	Transient Trader- CLASS 2 • Youth/Student Licence (expires on date specified on licence)	\$ _____
	Mobile Food Service Equipment • sale of food for consumption (expires on date indicated on licence) • sales location must be zoned commercial (verify with Zoning Department)	\$ _____

Business Information	Owner Information
Name:	Name:
Address:	Address:
City:	City:
Postal Code:	Postal Code:
Tel. No.:	Tel. No.:

Location(s):	(1)
	(2)
	(3)
	(4)
	(5)

- ☐ Attach Report of Medical Officer of Health (if required) ☐ Attach Report of Chief of Police (if required)
☐ Attach Report of Zoning Administrator (if required) ☐ Attach Report from Fire Department (if required)

I/We hereby grant permission for the Municipality of West Nipissing to have access to any records containing my "personal information" for the exclusive purpose of verifying the information that I have provided in this application form. I also acknowledge that there is a fee for this licence and I will be required to make such payment prior to issuance of the licence.

Applicant Signature:	Date:
----------------------	-------

FOR OFFICE USE ONLY:

- ☐ I hereby recommend that this application be approved and the necessary licence be issued to the applicant.
☐ I hereby recommend that this application NOT be approved and that a licence NOT be issued to the applicant for the following reasons: _____

Fee paid: \$ _____	Licence Issuer:
Date of issue:	Licence Number:

CREATED : MARCH 2016

BY-LAW 2016/40
LICENSING OF HAWKERS AND PEDLARS, TRANSIENT TRADERS AND
MOBILE FOOD SERVICE EQUIPMENT
SCHEDULE "C"

➤➤ **SET FINE SCHEDULE - PART 1 PROVINCIAL OFFENCES ACT**

ITEM	SHORT FORM WORDING	OFFENCE CREATING PROVISION	SET FINE
1	Fail to display licence on premises	Section 2.4 (a)	\$ 100.00
2	Fail to display licence on mobile food service equipment	Section 2.4 (b)	\$ 100.00
3	Fail to maintain licence on person	Section 2.4 (c)	\$ 100.00
4	Obstruct/interfere with person designated to enforce by-law	Section 2.13	\$ 100.00
5	Failure to keep records as required	Section 2.15	\$ 100.00
6	Failure to hold valid licence to carry on the business of "Hawker & Pedlar"	Section 2.19 (a)	\$ 100.00
7	Failure to hold valid licence to carry on the business of "Transient Trader"	Section 2.19 (a)	\$ 100.00
8	Failure to hold valid licence to operate "Mobile Food Service Equipment"	Section 2.19 (b)	\$ 100.00
9	Failure to notify Clerk of change of address within 7 days	Section 2.20	\$ 100.00
10	Failure to maintain standards/requirements	Section 2.22	\$ 100.00
11	Carry on business of 'Hawker/Pedlar' without licence	Section 3.1	\$ 100.00
12	Carry on business of 'Transient Trader' without licence	Section 4.1	\$ 100.00
13	Carry on business of mobile food service equipment without licence	Section 5.1	\$ 100.00
14	Operate mobile food service equipment on a municipal site without consent	Section 5.2 (a)	\$ 100.00
15	Operate mobile food service equipment within 30 metres (120 feet) or less from the front entrance of another eating establishment	Section 5.2 (b)	\$ 100.00
16	Fail to display licence on premises	Section 5.2 (c)	\$ 100.00
17	Allow waste to accumulate at any location during the hours of operation of the mobile food service equipment	Section 5.2 (d)	\$ 100.00
18	Failure to maintain clean and sanitary conditions of mobile food service equipment	Section 5.3 (a)	\$ 100.00
19	Failure to provide certificate of good health for employee(s) of mobile food service equipment	Section 5.3 (b)	\$ 100.00
20	Operate mobile food service equipment without proof of insurance	Section 5.4	\$ 100.00
21	Operate mobile food service equipment without proof of fire suppression system	Section 5.5	\$ 100.00
22	Operate mobile food service equipment without proof of safety certification re: propane components	Section 5.6	\$ 100.00

NOTE: Penalty provision for the offences indicated above is Section 7.11 of By-Law No. 2016/40, a certified copy of which has been filed.

CREATED : MARCH 2016


BY-LAW 2016/40
LICENSING OF HAWKERS AND PEDLARS, TRANSIENT TRADERS AND
MOBILE FOOD SERVICE EQUIPMENT
SCHEDULE "C"

➤➤ SET FINE SCHEDULE - PART 1 PROVINCIAL OFFENCES ACT

ITEM	SHORT FORM WORDING	OFFENCE CREATING PROVISION	SET FINE
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2	Fail to display licence on mobile food service equipment	Section 2.4 (b)	
3	Fail to maintain licence on person	Section 2.4 (c)	
4	Obstruct/interfere with person designated to enforce by-law	Section 2.13	
5	Failure to keep records as required	Section 2.15	
6	Failure to hold valid licence to carry on the business of "Hawker & Pedlar"	Section 2.19 (a)	
7	Failure to hold valid licence to carry on the business of "Transient Trader"	Section 2.19 (a)	
8	Failure to hold valid licence to operate "Mobile Food Service Equipment"	Section 2.19 (b)	
9	Failure to notify Clerk of change of address within 7 days	Section 2.20	
10	Failure to maintain standards/requirements	Section 2.22	
11	Carry on business of 'Hawker/Pedlar' without licence	Section 3.1	
12	Carry on business of 'Transient Trader' without licence	Section 4.1	
13	Carry on business of mobile food service equipment without licence	Section 5.1	
14	Operate mobile food service equipment on a municipal site without consent	Section 5.2 (a)	
15	Operate mobile food service equipment within 30 metres (120 feet) or less from the front entrance of another eating establishment	Section 5.2 (b)	
16	Fail to display licence on premises	Section 5.2 (c)	
17	Allow waste to accumulate at any location during the hours of operation of the mobile food service equipment	Section 5.2 (d)	
18	Failure to maintain clean and sanitary conditions of mobile food service equipment	Section 5.3 (a)	
19	Failure to provide certificate of good health for employee(s) of mobile food service equipment	Section 5.3 (b)	
20	Operate mobile food service equipment without proof of insurance	Section 5.4	
21	Operate mobile food service equipment without proof of fire suppression system	Section 5.5	
22	Operate mobile food service equipment without proof of safety certification re: propane components	Section 5.6	

NOTE: Penalty provision for the offences indicated above is Section 7.11 of By-Law No. 2016/40, a certified copy of which has been filed.

SCHEDULE "B" OF BY-LAW 2019/24

 AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:		Feb 4 , 2019	
Name of Requestor:	Joanne Savage Mayor		Date submitted: Jan 28, 2019
Address:	Full mailing address:		
Phone:	Home:	Business / Cell: 705 498 0819	Fax:
E-Mail:			
Requested Agenda Item/Subject:		Request for a reduced rate of community hall	
Additional details / background information:		<input checked="" type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately <i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i> Written request recd from not for profit organization Request is to rent community hall at a reduced rate for fundraising event Will provide written request separately	
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:	JANUARY 28, 2020	Received from:	Mayor Savage
Meeting Date Requested:	FEBRUARY 4, 2020	Mode of Notification:	<input checked="" type="checkbox"/> in person <input type="checkbox"/> by telephone <input type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):	FEBRUARY 4, 2020		<input type="checkbox"/> Regular meeting <input checked="" type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			



Royal Canadian Legion, Brach 225

Lady Auxiliary

201- B River Street

Sturgeon Falls, Ontario P2B 1T4



January 27 ~~2007~~ ²⁰²⁰

To your Worship and West Nipissing Council

The following letter is a request to council to humbly request to rent the hall located in Cache Bay at a reduced rate of \$ 200.00. This is to hold a craft show on Saturday, May 02 2020 as a fundraiser for the Royal Canadian Legion Lady Auxiliary Branch 225. Our members participate in tournaments outside of town such as Euchre. Crib, Darts ect...

This fundraiser is to help them with the cost affiliated to these activities. The reason for our change of venue, we need a bigger hall to hold this event because our legion hall is too small. Also there is no stairs so this will not hinder people who have problems with their legs to join us. For future information please contact Denise Driver, President RCL Lady Auxiliary Branch 225, 705.753.5249 or Mona Noël secretary of RCL Lady Auxiliary , 705.498.2931. Thank you for your time and attention given to this request.

Denise Driver

President of Royal Canadian Legion

Branch 225 Lady Auxiliary

MEMORANDUM

TO: MAYOR and COUNCIL

FROM: Jean-Pierre (Jay) Barbeau, CAO

DATE: January 30th, 2020

SUBJECT: ISLAND TAXATION

At the last budget meeting, we were reminded that we are to submit a report about the feasibility of reducing taxation for island properties. I made a general comment that potentially a report could come back in 2 months. As indicated during that meeting, once I and Alisa delved into the exact legislation and methods to theoretically achieve that purpose, the task is much more onerous than anticipated.

Alisa has provided a detailed memo providing explanations to the information received. I thank her for her usual attention to detail but want to make a few "finer points" so that the issue is clear.

1. As I have indicated several times, treating island properties differently as a category is **not possible** given legislation. There is no tax class possible and you can't reduce taxes to only Islands. One of the emails sent refers to staff as "liars". We are not.
2. None of the emails provided change point number 1. Though I respect the enthusiasm of the group and their effort by researching the issue, as Alisa's analysis points out, the information needs to be looked at by qualified experts (your staff) and reported upon. Nothing provided alters the legal position given by your competent and qualified staff.
3. Legislation allows for looking at baseline common services and then charging additional levies for services that are only received by some. This point becomes highly subjective because there is not a provision to not charge dwellings who get "less" of the service.
4. The provincial system of municipal taxation was designed to get away from the "menu of services approach". It would be an extremely complex task to look at all services to see what areas receive what and in my opinion, not a fruitful exercise. It took Port Hope several years only to arrive at a few services.

Therefore, as I indicated, this is not a budgetary discussion but a much larger a more detailed project that would tie up resources for several years.

Respectfully,

Jay Barbeau, CAO

from the desk of :
Jean-Pierre (Jay) Barbeau
C.A.O.

Joie de vivre



West Nipissing Ouest

Joie de vivre

www.westnipissingouest.ca

MEMORANDUM

TO: Mayor and Council

FROM: Alisa Craddock CPA, CMA Director of Corporate Services/Treasurer

DATE: January 31, 2020

RE: ISLAND TAXATION

The ultimate determination of a tax bill for a property is the result of several pieces of legislation and agencies.

The Assessment Act defines the property classes. Attached to the Assessment Act is the Ontario Regulation (O. Reg) 282/98 General. This regulation lists the prescribed classes and optional classes. Each classification is detailed and determining factors on classification are listed.

MPAC (Municipal Property Assessment Corporation) is responsible for assessing and classifying properties within Ontario, in compliance with the Assessment Act and related regulations. Within the residential class, MPAC uses specific data collected on the property (primary and secondary structures, construction quality, age, site features including access and services, structural features), sales validation, market analytics, value testing, and a post valuation review. For recreational waterfront properties in particular, MPAC considers seasonal or water access only, topography, water source, services, island versus mainland property, and other key factors.

The Municipal Act sets out the municipal taxation framework. Section 306 of the Municipal Act ties assessment to the Assessment Act; Section 307 states unequivocally that

307.1 All taxes shall, unless expressly provided otherwise, be levied upon the whole of the assessment for real property or other assessments made under the Assessment Act according to the amounts assessed and not upon one or more kinds of property or assessment in different proportions.

Municipalities are the final piece in the determination of the tax bill. Municipalities set how much tax needs to be raised (tax levy). That tax levy is spread across the all property classes through the use of ratios, that are also determined by the Municipality. The Municipality must maintain a tax ratio within a prescribed range (as established by the Province) and only has the prescribed property classes (as established by the Province and assessed by MPAC) within its tax strategy. Municipalities do not have any ability to establish new property classes, discount assessments, or set ratios outside of these pieces of legislation.

Joie de vivre



West Nipissing Ouest

Joie de vivre

www.westnipissingouest.ca

Special services, and the subsequent impact on assessment, have been circulated to Council by a couple concerned residents in relation to municipal taxation on island properties and requesting a special area ratio. In addition to quoting a single section of the Municipal Act, there have been references to other municipalities. There are some points that I need to clarify, in regards to the information that is circulating.

- None of the example municipalities have a separate tax ratio for island or rural properties. Nor do they have a separate tax ratio for urban, rural, by ward, or any other combination. All of the municipalities are respecting the legislation in establishing ratios based on the prescribed property classes
- Section 326 of the Municipal Act gives municipalities the ability to identify special services (under a prescribed definition), identify properties that receive the special services, determine the costs related to those special services, levy a special levy on the designated properties. It does not give municipalities the ability to discount tax for a certain group nor does it give municipalities the ability to set up new tax ratios.
- Northeastern Manitoulin Island (NEMI), Muskoka (including Bracebridge, Gravenhurst, Huntsville, Georgian Bay, Lake of Bays, and Muskoka Lakes), and Port Hope do have taxes levied related to services provided.
 - NEMI is divided in 4 wards – all islands in NEMI, Little Current, 2 rural wards. This creates an illusion of area rating or ward preference, however, it is based on services delivered. A common tax levy, based on appropriate ratios, is established on all properties. Little Current properties are assessed additional amounts for the extra service of garbage pickup.
 - Muskoka recognizes that a portion of the costs related to a water system is related to fire fighting (a taxation issue) rather than a water usage (water rate issue). This cost is allocated to the regional budget and allocated, based on assessment and ratios, to the properties that are connected to firefighting infrastructure. Muskoka also allocates solid waste in six special service levies, dependent on the service provided.
 - The Port Hope document included in the emails from the residents is 8 pages of a 200 page document and is misleading if read in isolation. The Municipality of Port Hope is a lower tier municipality within the County of Northumberland. As a lower tier municipality, there are many services that Port Hope is not responsible for (County responsibilities), including county roads and arterial roads. In 2012, Port Hope undertook a 2-year comprehensive review of services provided. In 2014, after the review, they established a list of special services that is included in that eight page document. The file was then transferred to a working group, who spent an additional 3 years working with the Finance department and engaging the community through consultation, reviewing analysis and data collected. In 2017, the working group returned a report to Council. That final report stated that the only special services that are not available to all property

owners is transit and Christmas tree pickup. Though originally proposed as a 10-year implementation, after 5 years of analysis, review, and consultation the net impact of applying a special service charge for these two items was insignificant enough that Port Hope implemented the final recommendations in the following year. Port Hope calculates its tax by a common levy (applied in approved ratios), a special levy to the urban properties for transit and Christmas tree pickup.

- One of the tests on whether a service is a special service is not whether an individual resident accesses the service but whether the service is available and/or whether the resident benefits from the service. Services such as arenas, community centres, and public parks are typically not accessed by all residents within a municipality but can be accessed by any resident, including residents with water access properties
- With the exception of NEMI, roads and emergency services are always considered common costs

It is important to note that the Municipality of West Nipissing does not include any solid waste or waste management costs within its tax levy. User fees for waste management have already been adjusted for island properties. The Municipality does not currently have any component of its tax levy that relates to water or sewer. Nor is there municipally funded transit and policing is provided across the Municipality by the same service provider.

If Council feels there is an area that is receiving **additional** services (i.e. services that are not generally provided throughout the Municipality) or that the level of service varies across the Municipality, then the levels of service for all functions within municipal operations would need to be established. A methodical approach to identify special services and the corresponding areas of service would need to be undertaken. A discussion on the levels of service for island properties cannot be held in isolation of levels of service across the municipality.

Janice Dupuis

Subject: FW: Tax Ratio

From: Sarah Remillard

Date: January 28, 2020 at 7:25:32 AM PST

To:

Subject: Tax Ratio

Good Morning West Nipissing Council and Mme Mayor Joanne,

I am submitting this document for review. Respectfully noting services listed on the Municipal Website vs. lack thereof for island properties.

Building and Planning services:

Residential Land access: Building inspector from the Municipality, electrical, conservation finds his/her own transportation to the site.

Water Access: We are responsible for providing transportation for ALL inspectors on their time and schedule. (boat, gas, our time off work) Building inspector, conservation authority, electrical safety. Yet this is supposed to be a service provided by the Municipality.

Clerk Services:

Cemeteries and drains: obviously we have no municipal drains or cemeteries on any water access properties owned by the municipality. (I do believe all other wards have a cemetery)

Community Services:

Residential land access: Pool, community centers, arena, outdoor rinks (Cache Bay, Field, River Valley, Lavigne, Verner and Sturgeon Falls) sport fields (baseball, soccer etc..) parks, playgrounds/water parks (Field, River Valley, Cache Bay, Springer, Lavigne, Verner, Sturgeon Falls)

Water Access: none.

Public boat launches and facilities: While we appreciate having a boat launch, this is a USER PAY service available to EVERYONE even if not from West Nipissing. We have no special access or discounts for owning a water access property. We pay the same amount for our pass as any other resident of West Nipissing and must follow the same rules. I do not believe there are any roads in West Nipissing that you must pay a toll to use. Yet we need to pay to be able to access our "residence".

Emergency Service:

Water access: while we can certainly call 911 the response time is obviously not what it would be land access, however there have been times when we are asked to "deal with it ourselves" police were called for a bear and the response was "if you have a gun- shoot it". There is certainly no regular patrolling of the islands. We also do not have any by law's being enforced.

Fire response is sadly the same. While they are able to provide summer coverage (somewhat) they have no way of assisting in winter months. We cannot say we have 12 month fire protection for insurance purposes since we in fact do not. Also, during the summer 2018 fire ban- the firefighters were called to

report an open fire, and the response was to ask if we could walk over and tell them a fire ban was in effect ourselves as they could not cross the lake for that....

Environmental Services:

Residential land access: Access to the dump (for a fee) as well as home service pick up for waste and recycling which is free. Leaf and yard waste to those in need. Verner, Crystal Falls, Tomiko Lake area, Field and North Monetville fire hall have access to 24 hour recycling bin.

Water access: Access to the dump (for a fee) and garbage bin at Minehaha Bay (as well as general public) We do not have access to any 24 hr Recycling Bin.

Library: You must have a West Nipissing address to access library services

Public works:

Residential land access: Was stated approx.. 18% of tax dollars goes to public works. Capitol Projects, road access, plowing, sanding, ditching, sidewalks, street lights, grading machines for road maintenance, clean ups of debris etc... I imagine there are more services provided by Public works.

Water access: NONE. We get none of the above mentioned services that encompass 18% of our tax dollars!

While I completely agree as a community the tax pool should be shared even if not every resident will benefit directly from each specific service, it is for the well being of the entire community. However, I do not see what services WE WATER ACCESS ONLY are sharing? We have no services. We re not referring to waterfront properties. We are water access ONLY. Furthermore, many of us are also homeowners in West Nipissing where we contribute already to the "shared pool" of tax dollars.

May we ask the council members who are unsupportive to kindly explain to us how we are able to access the above named services? I feel requesting a playground or plowing a road to an island, making an outdoor rink for our children, sanding the lake, is a highly unreasonable ask- yet if we had a land access residence, it would be granted.

Our last statement is during the state of emergency we were actually prevented from accessing our properties to protect them. Many of us suffered significant damages. I do not believe there were any other properties in West Nipissing which was blocked off access. If memory serves correct 300,000\$ was spent in emergency recovery. Raising roads, and grading, sand bags, no wake for river properties and waterfront properties, overtime for our municipal workers etc... again NONE of these things were accessible to water access only property owners! Seems wildly unfair that we are then put in the same class...

The general belief seems to be we have very similar services to other rural areas, yet we clearly do not. I believe this is proof of that.

Thank you for your time and effort,

Water access only property owners

Sarah Remillard RPN, BAC
BioAdvance Coordinator
Coordinnatrice BioAdvance
Tel: 705-499-2655
Fax: 705-482-0602
Email:

Janice Dupuis

Subject:

FW: Submitting Documentation TAX RATIO

Begin forwarded message:

From: "ray"
Date: January 29, 2020 at 12:58:25 PM EST
To: Sarah Remillard
Subject: Re: Submitting Documentation TAX RATIO

Good morning Mayor and council of West Nipissing,

In addition to information provided by Ms. Remillard, I just watched the council meeting and I was deeply disturbed that council was told that it was "illegal" to isolate island properties for taxation purposes. With all due respect, that is a blatant LIE and is in direct contradiction to the provincial government and provincial tax laws which are very clear that municipalities have the authority to make any concessions to property taxation at their sole discretion. This is the second time that council has been provided with false or misleading information on this issue.

The information that council requested at the last meeting was simple and clear and council was assured it would be provided. Municipal staff failed to do so and now council is being told that it is a very difficult and arduous process. I argue that it is not.

The Oxford dictionary defines a CFO (a chief financial officer) 'as a senior executive with the responsibility for the financial affairs of a corporation or other institution'. Hence, I am at a loss to understand why municipal staff are reluctant to provide any financial information to council. It is utterly outrageous to expect anyone to believe that financial officers are not fully aware of what is being paid to contractors and city departments for any specific service and it is utterly unacceptable that that information can not be immediately provided to council upon request. Yet, financial officers are claiming that it will take several months if not longer to provide that information if at all, which to be brutally honest, is absolutely astounding. If this information is not readily available, then council should be considering a full official investigation immediately to determine why those records have not been kept.

I think a full analysis of the financial data to determine exact costs of these services to water access only properties as municipal staff are suggesting is completely unnecessary and would be a waste of time, money and resources at this particular time. My understanding is that, council as well as property owners, are simply seeking a rough estimate or 'ball park' of what the cost of SOME services are per property in the municipality which of course would include all properties and not be specific to just water access properties, which is fine for the time being. To determine the cost is simple mathematics. Determine a) the annual cost of the services in question for the entire municipality (readily available using 2018 or 2019 financial records), b) the **total** number of residential properties in West Nipissing (again, readily available data) c) total number of commercial and industrial properties. Divide the total annual costs by

the total number of properties combined and you will be left with a dollar amount per property in West Nipissing. Again, this is **just a very very rough estimate** as ICI properties for example, are obviously taxed differently, but the information is certainly more than adequate to provide council with a very preliminary idea of the cost for the services in question per property within the entire municipality. Should council determine based on that information that a tax consideration for water access only properties is warranted, then a more detailed financial analysis for water access only properties would be warranted and conducted at that time to determine exact dollar amounts.

Our laws and constitution provides every citizen the right to equality and fairness in ALL things and that is what we are seeking. I am trusting that the council for the municipality of West Nipissing is committed to ensuring that for all residents as well.

Respectfully,

Ray Brazeau

From: Sarah Remillard

Sent: Wednesday, January 29, 2020 10:29 AM

To:

Subject: Submitting Documentation TAX RATIO

Good Morning,

Again I would like to begin with a thank you to Council for bringing up our request again.

After last evening's meeting I would like to submit the following document proving it is in fact well within the Municipal act (LEGAL) to change ratios within wards.

Attached is a document explaining step by step how this process was in fact done in Port Hope. I would like to reiterate that if other communities have a tax based on services; we have established we have absolutely no services and therefore cannot fully understand the fair and equitable distribution of the tax levy for an "area" where we are residential- we are requesting a special area ratio based on our services named "RESIDENTIAL WATER ACCESS ONLY" Similar to "Residential urban" and "residential rural" while we are not requesting the Municipality as an entirety adopt this; we are requesting that ONLY WATER ACCESS properties be looked at under a SPECIAL SERVICE. Approximately 200-250 properties (guessing as I do not in reality have access to the Taxation rolls)

While we are all very reasonable and understand this would likely be a phase in transition, we firmly believe we have a right to request a fair and equitable distribution of tax levy.

I will highlight the following since it is a lengthy document.

This was done to create a FAIR AND EQUITABLE distribution of tax levy.

Implemented a new common and special service taxation approach (which is what we are requesting)

***Municipal Act Ontario:
Section 326 (1) and 326 (2)***

Permits a municipal council to define areas within a municipality that receive and will be charged for some municipal services classified as "special" e.g: provide at a different level or in a different manner than other areas"

EXCERPT FROM MUNICIPAL ACT Re: SPECIAL SERVICES

MUNICIPAL ACT SECTIONS 326(1) and 326(2)

The Municipal Act is long, available at this link: <https://www.ontario.ca/laws/statute/01m25>

Two sections are specifically relevant to municipal by-laws that relate to special services: Sections 326(1) and 326(2), clipped below.

By-laws re special services (quoting from the Act, Section 326)

(1) A municipality may by by-law,

- (a) identify a special service;
- (b) determine which of the costs, including capital costs, debenture charges, charges for depreciation or a reserve fund, of the municipality are related to that special service;
- (c) designate the area of the municipality in which the residents and property owners receive or will receive an additional benefit from the special service that is not received or will not be received in other areas of the municipality;
- (d) determine the portion and set out the method of determining the portion of the costs determined in clause (b) which represent the additional costs to the municipality of providing the additional benefit in the area designated in clause (c);
- (e) determine whether all or a specified portion of the additional costs determined in clause (d) shall be raised under subsection (4). 2001, c. 25, s. 326 (1); 2006, c. 32, Sched. A, s. 136 (1).

Definitions (quoting from the Act, Section 326)

(2) In this section,

"benefit" means a direct or indirect benefit that is currently available or will be available in the future; ("*avantage*", a cross-reference to a comparable French term)

"special service" means a service or activity of a municipality or a local board of the municipality that is,

- (a) not being provided or undertaken generally throughout the municipality, or
- (b) being provided or undertaken at different levels or in a different manner in different parts of the municipality. ("*service spécial*") 2001, c.25, s.326 (2).

Appendix 'A'

MPAC:

PROPERTY ASSESSMENT

The Municipal Property Assessment Corporation (MPAC), a provincial agency, determines the assessed value of each property in the province, referred to as "current value assessment" (CVA).

MPAC provides a "tax roll" to each municipality, and the municipality uses the information in their tax roll to calculate and generate the property-tax bill(s) for each ratepayer.

For more information about MPAC and how they assess properties in Ontario, visit their website at this link: www.mpac.ca

WEIGHTED ASSESSMENT FOR A PROPERTY

To determine the weighted assessment for a property, the CVA from the tax roll is multiplied by the applicable property-class ratio. Ratios are set by the County and can be found in the MPH tax-rating By-Law 29/2016.

For a residential property, the weighted assessment is the same as the CVA number that

Appendix 'A'

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is supplied by MPAC – there is no weighting for this property class.

Certain types or classes of properties, e.g. industrial or commercial, have a property class ratio that is higher than residential, and the weighted assessment for each property is the CVA number from MPAC multiplied by the applicable ratio from County.

Some other types of property, e.g. managed forest or farmland, have a property class ratio that is lower than residential, and the weighted assessment for each property is the CVA number from MPAC multiplied by the applicable ratio from County.

AREA RATIO:

We are requesting an “area ratio” for island properties. RESIDENTIAL “water access”

We fully understand this is a tremendous amount of work for staff (research and implementation of change), however we feel it is warranted as we really have zero services available to us.

Water Access Only Cottage owners!!

Sarah Remillard RPN, BAC
BioAdvance Coordinator
Coordinnatrice BioAdvance
Tel: 705-499-2655
Fax: 705-482-0602
Email:

TAX LEVY ALLOCATION REVIEW BACKGROUND INFORMATION

BACKGROUND

Area Rating was put in place in 2001 to create a fair and equitable distribution of the tax levy between the wards of the recently-amalgamated Municipality of Port Hope (formerly the Town of Port Hope and the Township of Hope). The original formula used pre-amalgamation (year 2000) weighted assessment and tax levies to establish a base rate. The original approach has not kept pace with numerous changes in legislation, regulations, service levels, assessment methodology, and assessment shifts across property classes and the original design is no longer applicable. A comprehensive review was initiated by Council in May 2012.

After a two-year comprehensive review, the Council of the Municipality of Port Hope, at their April 22, 2014 Council meeting, implemented a new Common and Special Services taxation approach for the 2014 tax year and future years, in addition to adopting tax rates for 2014.

The Common-and-Special-Services By-law 28/2014 establishes those services that are to be charged to all of the ratepayers as common services, and those special services to be charged only to the ratepayers in a benefiting area.

See more online, including numerous downloadable documents, at this link:

<http://www.porthope.ca/municipal-taxation-review-2012-2017>

INTRODUCTION

The Municipality of Port Hope (MPH) collects property taxes through a tax levy that is billed to the ratepayers, to cover some of the costs of providing municipal services in the municipality.

MUNICIPAL ACT

The Municipal Act in Ontario, particularly Sections 326(1) and 326(2) (excerpt at end of this document), permits a municipal council to define areas within the municipality that receive, and will be charged for, some municipal services classified as "special", e.g., provided at a different level or in a different manner than other areas.

Link to the Act: <https://www.ontario.ca/laws/statute/01m25>

TAX LEVY ALLOCATION WORKING GROUP

In January 2016, Council established a Tax Levy Allocation Working Group ('Working Group', or 'WG') to review the Common-and-Special-Services By-Law 28/2014 and the related processes that are identified in the Municipal Act for defining special services.

The Working Group is to engage in a dialogue with ratepayers and to prepare a summary report with suggestions and recommendations to go to Council. The WG consists of the Mayor Bob Sanderson, Councillors Les Andrews and Robert Polutnik, ratepayers Gord Walter (urban ward) and Rick Norman (rural ward), as well as Director of Finance David Baxter.

WORKING GROUP ACTIVITY TO THE END OF APRIL 2016

The Open House in March 2016 included selected excerpts from the Municipal Act and a chart outlining 28 service areas within the municipality. A video of the introduction to the Open House is available online at this link:

<http://www.porthope.ca/municipal-taxation-review-2012-2017>

Comments were requested from ratepayers by the end of March. The due date for comments was extended to the end of April. All of the comment sheets are also available for viewing online at the link noted above.

COUNCIL ACTIVITY IN APRIL 2016

The tax-rating By-Law 29/2016 was passed, using the same common-and-special-services classifications that were defined in By-Law 28/2014. The term of the WG was extended.

WORKING GROUP ACTIVITY IN MAY AND JUNE OF 2016

All of the comments to the end of April were reviewed and notes were made to summarize the issues and concerns that had been raised by ratepayers and WG members.

With the assistance of the Finance Department team, the municipal-services chart that had been presented at the Open House was extended to include financial information for each department. With reference to tax-rating By-Law 29/2016, a new row has been added to the municipal-services chart, for "HBIA" as a special service where costs are charged to HBIA-specific properties.

An early draft of an informational slide show was prepared for use in a subsequent public session to address the most-frequently-raised points.

THE WORKING GROUP RESUMES IN 2017

At the end of June 2016, the meetings of the WG were postponed until March 2017. The WG is continuing its review of By-Law 28/2014 and is preparing a presentation that will be made to the Finance Committee and to the community, plus a summary report to go to Finance Committee and Council.

One of the goals of the WG is to encourage consistency in the way common-and-special are reviewed for each service area, and to recommend a fair and equitable approach that may be used by Council in future years when reviewing By-Law 28/2014 and its replacement.

COUNCIL IN 2017

Council's role is to consider the report that will be submitted by the WG, with the possibility of revising the Common-and-Special-Services By-Law 28/2014. Councillors are the decision-makers in this process (not the WG) and any change is recommended to not be effective until 2018.

TWO WARDS IN MPH

The Municipality of Port Hope has two wards, the urban (former town) ward and the rural (former township) ward, that were amalgamated by the Province in 2001.

TAX LEVY DEFINED

When Council sets the budget for the taxation year, it reviews the plans and needs of all of the departments, considers and adds up all of the necessary expenses for that year, subtracts all of the anticipated revenues (e.g., provincial grants, user fees), adds in the necessary contributions to/from reserves, and calculates the balance that is to be charged to ratepayers on their municipal property-tax bills -- this balance is the "tax levy" for the municipality and it was about \$17.2 million in 2016.

This set of notes and the examples use 2016 numbers. The numbers for tax year 2017 will roll out later in the spring, when the tax-rating by-law is passed.

WATER AND SEWER

Note: water and sewer costs are recovered by user fees that are charged to the ratepayers who receive these services, based on volume. Water and sewer costs are not part of the municipal tax levy.

PROPERTY TAXES FOR COUNTY AND EDUCATION

Your tax bill has three parts: a municipal portion, a county portion, and a provincial education portion. This set of notes relates to common and special services within the municipality. All of the services provided by the county, and all of the education services related to your tax bill, are excluded from the municipal levy. The county and provincial education services are deemed to be common services (i.e., not special or area-rated) and are billed at the same rates to all of the ratepayers in the county/province.

PROPERTY ASSESSMENT

The Municipal Property Assessment Corporation (MPAC), a provincial agency, determines the assessed value of each property in the province, referred to as "current value assessment" (CVA).

MPAC provides a "tax roll" to each municipality, and the municipality uses the information in their tax roll to calculate and generate the property-tax bill(s) for each ratepayer.

For more information about MPAC and how they assess properties in Ontario, visit their website at this link: www.mpac.ca

WEIGHTED ASSESSMENT FOR A PROPERTY

To determine the weighted assessment for a property, the CVA from the tax roll is multiplied by the applicable property-class ratio. Ratios are set by the County and can be found in the MPH tax-rating By-Law 29/2016.

For a residential property, the weighted assessment is the same as the CVA number that

is supplied by MPAC – there is no weighting for this property class.

Certain types or classes of properties, e.g. industrial or commercial, have a property class ratio that is higher than residential, and the weighted assessment for each property is the CVA number from MPAC multiplied by the applicable ratio from County.

Some other types of property, e.g. managed forest or farmland, have a property class ratio that is lower than residential, and the weighted assessment for each property is the CVA number from MPAC multiplied by the applicable ratio from County.

TOTAL WEIGHTED ASSESSMENT

When the municipality calculates tax rates each year, the total weighted assessment for the entire municipality, or for each ward, is used in the calculation.

Total weighted assessment is derived from the tax rolls, formed by the sum of the weighted assessment for each property in the area (e.g., within the whole municipality or within a ward).

In MPH, the total weighted assessment used in the 2016-tax-year calculations was \$2.093 billion. The urban ward contained \$1.527 billion or approximately 73% of the municipality's total weighted assessment value, and the rural ward contained \$565.5 million or approx. 27%.

SERVICES DEEMED TO BE COMMON

Where a service is deemed by Council to be "common" across the entire municipality, the cost of that service is apportioned to every ratepayer in the municipality on the basis of each property's weighted assessment value.

In MPH, for any municipal service that is deemed to be common, all of the ratepayers in the urban ward would jointly bear approximately 73% of the cost of the service, and all of the ratepayers in the rural ward would jointly bear approximately 27%. (2016 numbers)

SPECIAL SERVICES ACCORDING TO BY-LAW 28/2014

The following eleven service areas are listed as special services in By-Law 28/2014:

Police Services	Police Service Board
Parking	Christmas Tree and Yard Waste Pickup*
Transit	Crossing Guards
Streetlights	Sidewalks
Parks (physical)	Parks, Recreation and Culture Programs (selected)
Community Policing Committee (no longer active; not referenced in WG presentations)	

*Note Yard Waste Pickup service is now delivered by the County with the cost being recovered through the County levy, so there is now no cost included in the Municipal levy portion of property taxes to either ward.

In general, for each special service, the ratepayers in each ward are responsible for the cost of providing that service in their ward. For more information, please refer to By-Law 28/2014, at this link: <https://porthope.civicweb.net/filepro/documents/?preview=98647>

For some historical context predating By-Law 28/2014, including some notes about the activities of an earlier Area Rating Citizens Working Group (June 2012 through July 2013), a *Municipal Taxation Review Fact Sheet* dated October 29, 2013 is available at this link:

<http://www.porthope.ca/file-download/id/jar-ppWktonFKaZaDWH3iQ>

SPECIAL SERVICES IN OTHER MUNICIPALITIES

Several municipalities in Ontario have established special services such as policing, streetlights, and transit. In less-common situations, the cost of parks was established as a special service with a surcharge for the area(s) receiving a higher level of service.

ALLOCATION OF TAX LEVY BY WARD IN 2016

This section indicates the tax levy allocation for the 2016 tax year, as an example.

From the 2016 budget documents dated March 1, 2016, we find the total 2016 tax levy was \$17,193,238, with the tax levy allocation at \$13.50 million for the urban ward and at \$3.69 million for the rural ward.

These numbers reflect the common and special services that are prescribed in By-Law 28/2014, and the numbers are calculated:

- (a) before the phase-in adjustment (also part of By-Law 28/2014, noted below), and
- (b) before the application of any interest from the LLRW funds (also noted below).

On this basis, the share of the 2016 tax levy allocated to the urban ward was 78.5% and the share allocated to the rural ward was 21.5%.

TAX LEVY BY-LAW 29/2016

The tax levy rates are established annually by Council in a by-law. By-Law 29/2016 was passed by Council to set the tax rates for 2016, using the prescription in the Common-and-Special-Services By-Law 28/2014.

Link to By-Law 29/2016: <https://porthope.civicweb.net/filepro/documents/?preview=137745>

The amounts in the by-law are after phase-in adjustment and use of LLRW funds, described below. For levy allocation review purposes the focus is on reviewing the base amounts without either of these adjustments.

PHASE-IN ADJUSTMENT IN BY-LAW 28/2014

By-law 28/2014 has a dual role: one part is to specify the common and special services that determine the allocation of the tax levy; and the other part is to phase in a particular shift of tax levy that was made by Council in 2014. Phasing is not part of the mandate of the Working Group, but it is noted here for information purposes.

The phase-in adjustment mentioned above is part of the Common-and-Special-Services By-Law 28/2014, intended to spread out a particular 2014 shift of tax levy over ten years. In 2014, the amount of levy shifted from the urban ward (Ward 1 in the by-law) to the rural ward (Ward 2 in the by-law) was \$975,000. The amount of the phase-in adjustment is reduced from year to year, until the ten-year phase-in period has ended.

In the 2016 Tax-Rating By-Law 29/2016, the effect of the phase-in adjustment is included in the two lines in the by-law that refer to the total cost of special services for each ward. The phase-in adjustment was \$780,000 in 2016, and this was used in the tax-rating calculations to effectively increase the tax levy in the urban ward and to reduce the levy in the rural ward.

Although phasing affects each ward's tax levy, the phasing calculation comes after the tax levy has been allocated, and phasing is not part of the WG mandate.

USE OF INTEREST FROM LLRW FUNDS

The use of interest earned from the LLRW Funds is not part of the mandate of the Working Group, but it is noted here for information purposes.

Note that the use of interest (if any) to reduce each ward's tax levy takes place after the MPH tax levy has been allocated to each ward. For information about the use of LLRW interest for each ward, please refer to the current tax-rating by-law. In By-Law 29/2016, \$234,413 of Urban LLRW Fund interest was used for the urban ward, and \$230,263 Rural LLRW Fund interest was used for the rural ward.

Although LLRW interest can affect each ward's tax levy, the application of interest comes after the tax levy has been allocated, and LLRW interest is not part of the WG mandate.

LOOKING AT SOME HYPOTHETICAL OPTIONS

The 2016 tax year was used as an example (above), and the tax levy allocation (before phasing and before any application of LLRW interest) was split at \$13.50 million (78.5%) for the urban ward and at \$3.69 million for the rural ward (21.5%).

Now it's time to consider the impact of a couple of hypothetical cases where a different tax levy allocation might have been used, again using 2016 numbers.

HYPOTHETICAL TAX LEVY BY WARD, IF ALL SERVICES ARE COMMON

Hypothetically, if MPH Council were to decide that all of the municipal services are deemed to be common, then, using 2016 budget figures where the total tax levy was \$17.2 million, the ratepayers in the urban ward would have been responsible for 73.0% or \$12.55 million and the ratepayers in the rural ward would have been responsible for 27.0% or \$4.65 million.

It is important to note that the WG did not consider this “all-common” scenario, because the nature of some service areas causes them to be prime candidates as special services -- policing and transit come to mind – and not all services should be deemed to be common.

HYPOTHETICAL TAX LEVY BY WARD, IF ONLY POLICING IS SPECIAL

Hypothetically, if MPH Council were to decide that all of the municipal services except policing are deemed to be common, and that policing is the only special service, with costs to be determined on the basis of the contract with the associated provider (PHPS at \$4.26M in the urban ward, and OPP at \$0.66M in the rural ward, again using 2016 budget figures), then the ratepayers in the urban ward would have been responsible for \$13.23 million (or 76.9%) and the ratepayers in the rural ward would have been responsible for \$3.97 million (or 23.1%).

CALCULATING A RESIDENTIAL TAX RATE

To calculate a residential tax rate, for an area, for a service: (a) take the cost of providing the service in the area, then (b) divide by the total weighted assessment of the properties in the area (all classes). As a hypothetical example, the tax rate associated with policing in the urban ward, using 2016 numbers, would be \$4.26 million divided by \$1.527 billion – this works out to 0.002790 (approximately). Sometimes a residential tax rate is described on the basis of “\$100,000 of assessed value”, by multiplying the tax rate by \$100,000 -- in this hypothetical case the cost can be expressed as \$279.00 per \$100,000 of assessed value.

WORKING GROUP ACTIVITY IN MARCH & APRIL 2017

The timeline for the community consultation was established, the documents to be used were finalized and a ‘dry run’ of the open house was conducted.

The Working Group updated Finance Committee on progress and received support to proceed with the planned Community Consultation including an open house type public meeting and presentation. Comments from the public will be reviewed by the WG, and then provided to Council for consideration in their decision.

EXCERPT FROM MUNICIPAL ACT Re: SPECIAL SERVICES

MUNICIPAL ACT SECTIONS 326(1) and 326(2)

The Municipal Act is long, available at this link: <https://www.ontario.ca/laws/statute/01m25>
Two sections are specifically relevant to municipal by-laws that relate to special services:
Sections 326(1) and 326(2), clipped below.

By-laws re special services (quoting from the Act, Section 326)

(1) A municipality may by by-law,

- (a) identify a special service;
- (b) determine which of the costs, including capital costs, debenture charges, charges for depreciation or a reserve fund, of the municipality are related to that special service;
- (c) designate the area of the municipality in which the residents and property owners receive or will receive an additional benefit from the special service that is not received or will not be received in other areas of the municipality;
- (d) determine the portion and set out the method of determining the portion of the costs determined in clause (b) which represent the additional costs to the municipality of providing the additional benefit in the area designated in clause (c);
- (e) determine whether all or a specified portion of the additional costs determined in clause (d) shall be raised under subsection (4). 2001, c. 25, s. 326 (1); 2006, c. 32, Sched. A, s. 136 (1).

Definitions (quoting from the Act, Section 326)

(2) In this section,

“benefit” means a direct or indirect benefit that is currently available or will be available in the future; (“*avantage*”, a cross-reference to a comparable French term)

“special service” means a service or activity of a municipality or a local board of the municipality that is,

- (a) not being provided or undertaken generally throughout the municipality, or
- (b) being provided or undertaken at different levels or in a different manner in different parts of the municipality. (“*service spécial*”) 2001, c.25, s.326 (2).

STAFF REPORT

TO: Mayor and Council

FROM: Jean-Pierre (Jay) Barbeau,
Melanie Ducharme, Municipal Clerk/Planner,

DATE: January 27, 2020

RE: **PROPOSED LICENSING BY-LAW FOR CAMPING TRAILERS**

BACKGROUND:

At the meeting of May 3, 2019, the Planning Advisory Committee (PAC) received a presentation from the By-Law Enforcement Officer and a considered a Staff Report, addressing the ongoing issue of camping trailers in the Municipality of West Nipissing.

On June 10 and July 8, 2019 the PAC reviewed drafts of a proposed licensing by-law and heard depositions from a variety of citizens and further discussed the matter. Despite varying opinions on the specific provisions, PAC committee members were in agreement that the matter needs to be addressed and adopted the attached resolution recommending that Council undertake to enact a Trailer Licensing By-law and an Amendment to the West Nipissing Zoning By-Law.

On August 13, 2019 Council received the PAC recommendation and discussed a proposed by-law to regulate camping trailers. Following discussion, Council requested that further public consultation be undertaken and also requested that a presentation be sought from the North Bay Mattawa Conservation Authority and the Ministry of the Environment, Conservation and Parks in order to clarify the roles and responsibilities of those agencies.

PRESENTATION BY NBMCA & MOECP

On September 10, 2019, Paula Scott and Sacha Fredette of the North Bay Mattawa Conservation Authority (NBMCA) along with Brent Trach from the Ministry of the Environment, Conservation and Parks (MOECP), made a presentation to Council. In its presentation, the NBMCA outlined its roles and responsibilities with regard to septic regulation in West Nipissing and confirmed that the NBMCA's authority does not extend to trailers which are considered to be "self-contained" systems for the purposes of regulation. The NBMCA explained that where municipal regulation exists through zoning and licensing, the NBMCA will work with the municipality and the MOECP with respect to training and enforcement.

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Mr. Trach, of the MOECP explained the Ministry's authority over licensed trailer parks and the strict regulations under which such parks are required to manage their effluent. Mr. Trach confirmed that his experience through on-site visits has indicated that significant unregulated sewage is being disposed of in West Nipissing through "modified" holding tank situations and direct piping of sewage into the ground, lakes and rivers. Mr. Trach stated that both the MOECP and the NBMCA fully support the recommendation to regulate camping trailers and cautioned Council that negative environmental impacts are a certainty without implementation and enforcement of regulations for camping trailers.

PUBLIC CONSULTATION (NOV 1—DEC 2):

Staff undertook to schedule dates for consultation in the various communities during the month of November and the dates for each session were advertised throughout the latter part of October and early November in the local media, on social media (FaceBook, Twitter) and on the Municipality's website. Beginning on November 18, 2019, the Municipal Planner, the Chief Administrative Officer and the By-Law Enforcement Officer attended sessions in each of River Valley, Verner, Field, Lavigne, Sturgeon Falls and Cache Bay to consult with residents about the proposed regulation of camping trailers in West Nipissing. Mayor Savage attended all sessions and many councillors also attended. In addition to public deputation, some residents provided comments in writing. The media was also in attendance at most sessions. The resident turn-out in each area is below:

Date	Location	Attendees
November 18, 2019	River Valley	72
November 19, 2019	Sturgeon Falls	22
November 20, 2019	Verner	42
November 25, 2019	Lavigne	53
November 26, 2019	Field	57
December 2, 2019	Cache Bay	22

At each session, the Mr. Barbeau provided a brief summary of the challenges being faced by the municipality with respect to ongoing concerns being raised by local residents with respect to the recent proliferation of trailers on vacant lands and, more particularly, regarding the regulation of septic and grey water disposal for the many "pop-up campgrounds". Following introductory remarks and addressing some misconceptions about the proposed regulation as well as clarifying the role of the NBMCA and MOECP, Mr. Barbeau sought feedback on the following points:

1. Do residents agree that the environment needs to be protected?
2. Should there be a maximum number of trailers permitted on a property?
3. Should there be set-back requirements for trailers from lot lines and water bodies?
4. Should there be licensing and, if so, should it be one-time or annual?
5. Should there be a fee and, if so, should it be one-time or annual?

SUMMARY:

1. Protection of the environment: There was no debate among residents that the environment needs to be protected. In every community visited, the attendees unanimously agreed that the protection of the natural environment, including lakes and rivers, needs to be tantamount.
2. Maximum numbers of trailers: the question of whether there should be a maximum permitted number of trailers on a lot was discussed at length in every community and opinions varied widely from those who believe that more than one is too many to those who believe that no limit of any kind should be imposed. One clear message received in all communities, was that camping is a family activity and nobody camps alone, so limiting trailers to one (1) per lot, which is the norm in most municipalities, is not a feasible option for West Nipissing. The matter of permanent trailers versus transient trailers was discussed as well as some sort of formula which would take lot size into account; however there was no consensus whatsoever as to what would be a reasonable maximum number despite most agreeing that there needs to be some sort of limit.
3. Setbacks: At the outset of every session, the CAO began by asking people about whether or not they believe that the environment should be protected and the answer was overwhelmingly that it should. When asked, however, whether there should be a set back from water bodies for camping trailers, the answers were varied and many agreed that campers should have the same set back standards applied to them as to a seasonal dwelling or cottage; some felt that only campers with permanent structures affixed to them should be required to adhere to set-backs; and some said that there should be no restrictions whatsoever.
4. Licensing (Registration): The CAO explained that the purpose of licensing is to allow the municipality to know where campers are located in order that inspection can take place with a view of ensuring that all campers are safely and lawfully disposing of their septic effluent and grey-water. Many people expressed dissatisfaction at having to register their campers citing concerns of over-regulation and municipal “double-dipping” as property taxes are already being paid. The CAO explained that without registration and regulation, the municipality has no ability to inspect or enforce unauthorized waste disposal. Given the option of registering once (like a boat) or annually, the majority agreed that one-time registration was the preferred option.
5. Licensing (Fee): Very few were supportive of any type of licensing or registration fee being imposed and many stated that having to pay a license fee to camp on a property which is already paying property taxes seemed unfair. The CAO explained that there is an administrative component to what is being proposed and that the fees, like dog tags, lottery licenses and garbage pick up-, should be borne by the users, not the general tax payers. Given a choice between a one-time or annual fee, the majority agreed that a one-time fee would be preferable.
6. Existing Trailers (grandfathering). In addition to the questions posed about regulation of trailers, at every meeting, the question was raised about what would happen to existing trailers which do not meet the new standards, if imposed. The CAO stated that it is the intent that all trailers shall be registered, regardless of whether or not they are pre-existing. In addition, any camper which is currently unlawfully disposing of septic will not be permitted to continue to do so, regardless of how long the situation has been going

on. Compliance with environmental regulation is not optional. It was also identified that many campers have structures affixed to them or are located under permanent canopies which may be difficult to move, if a set-back is imposed.

RECOMMENDATIONS:

In reviewing the various meetings of the Planning Committee and Council, the delegations made by the North Bay Mattawa Conservation Authority and the Ministry of the Environment as well as the detailed notes made at each of the public consultation sessions, the following recommendations are being brought for discussion and consideration by Council with a view of moving toward implementation this spring:

1. **Council adopt a Trailer Licensing By-Law:** Despite the objections and concerns raised about the proposed licensing of trailers, there was consensus at every meeting that the environment needs to be protected. In order to do so, the municipality must enact a by-law which will permit inspection and enforcement of measures which will ensure that there is adherence to regulations concerning disposal of septic and grey water. Without a by-law, the municipality can do nothing.
 - a. Registration would consist of a one-time registration and one-time fee payable. In a previous discussion, a fee of \$50.00 was discussed. The by-law would include language to address owner's responsibility to ensure license information is kept current.
 - b. The By-law would require trailer owners to demonstrate in their application how their grey water and septic effluent are being disposed of. The By-Law enforcement officer would have the right of inspection at all times to ensure compliance.
 - c. Stored trailers and trailers located within commercial camp-grounds would not be subject to this by-law;
 - d. Work trailers, cargo trailers, boat trailers, etc., would not be subject to this by-law;
 - e. All camping trailers remain subject to the provisions of the Ontario Building Code as it relates to the construction of decks, porches, roofs, etc.
 - f. The licensing by-law would also include the provisions outlined below which must also be incorporated into the West Nipissing Comprehensive Zoning By-Law No. 2014-45 as it relates to land use provisions;
2. **Council undertake to amend the West Nipissing Zoning By-Law:**

As was noted at most of the meetings, the land use provisions of the West Nipissing Zoning By-Law 2014-45 would be required to be amended pursuant to Section 34 of the Planning Act. This process will involve additional public consultation in the form of a statutory public meeting at which residents will have the opportunity to address the proposed amendments.

 - a. Any lot on which is zoned primarily for residential use (R1, R2, R3, R4, RS and RR), the number of permitted trailers shall be limited to two (2). Any increase in that number may be dealt with through the minor variance provisions of the *Planning Act*, thereby permitting affected abutting owners the opportunity to make comment. The number however should in no case exceed four (4) trailers.

- b. On a lot which is zoned other than as provided above (RU or A1 or A2), there shall be no maximum number of permitted trailers. Notwithstanding however, that should the number of trailers be greater than six (6), an inspection be carried out by the North Bay Mattawa Conservation Authority and such property shall be required to install a septic bed of sufficient capacity. The justification for this recommendation is that pursuant to the Ontario Building Code Act, the effluent from a single camper without water and sewer hookup is calculated at 275 litres per day. More than 6 trailers would exceed the effluent of one single family dwelling which is calculated to be 1600 litres per day, and accordingly, should be required to adhere to the same requirements as would a dwelling.
- c. Any permitted trailer should be set back a minimum of 15m from any abutting water body. In addition, any permitted trailer should be set back a minimum of 3m from any rear or side lot line.
- d. An Engineer's Report confirming compliance with Section 9.1.1.8(b) of the OBCA would be required for any permanent structures (canopies, decks, sunrooms, etc.) to be constructed or located within the flood plain.
- e. Notwithstanding the provisions noted above, no septic bed shall be permitted

3. Existing trailers:

- a. All existing trailers shall be licensed in accordance with the provisions of the by-law;
- b. All existing trailers which can comply with the set-back provisions of 15m from the water's edge (i.e. no permanently affixed structures or physical ground impediments), shall do so by August 31, 2020;
- c. All existing trailers which permanently situated (decks, porches, etc., shall be registered as legal-non-conforming and shall be recognized as such for so long as the existing trailer remains. If such trailer is removed or replaced, the legal non-conforming status shall be at an end and the replacement shall be required to meet the required set-back.
- d. Any lot which there currently exists more than 6 trailers, those trailers shall be permitted to remain; however no additional trailers may be added to such lot and any which are removed may not be replaced. In addition, any lot on which there exists more than 6 trailers, the property owner shall, by August 31, 2022, have installed a septic system of sufficient quantity for the number of trailers or shall have reduced the number sufficiently so as to not require a septic bed.
- e. Any lot on which a non-approved septic installation has been installed, shall be immediately removed and replaced with an authorized installation.

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING /
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

**MINUTES OF THE COUNCIL MEETING
HELD IN COUNCIL CHAMBERS
ON SATURDAY, JANUARY 25, 2020 AT 9:00 AM**

PRESENT: MAYOR JOANNE SAVAGE
COUNCILLOR YVON DUHAIME
COUNCILLOR CHRISTOPHER FISHER
COUNCILLOR ROLAND LARABIE
COUNCILLOR LÉO MALETTE
COUNCILLOR DAN ROVEDA
COUNCILLOR JEREMY SÉGUIN
COUNCILLOR DENIS SÉNÉCAL
COUNCILLOR LISE SÉNÉCAL

ABSENT:

A) DECLARATION OF PECUNIARY INTEREST / DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES

There were no pecuniary interests declared.

B) AGENDA / ORDRE DU JOUR

B-1 A resolution was passed to adopt the Agenda.

No. 2020/037 Moved by: Councillor Séguin
Seconded by: Councillor Duhaime

BE IT RESOLVED THAT the Agenda for the BUDGET meeting of Council held on January 25, 2020 be adopted as ☒ presented / ☐ amended.

CARRIED

C) 2020 BUDGET PRESENTATIONS / PRÉSENTATION BUDGÉTAIRES POUR L'ANNÉE 2020

C-1 2020 CAPITAL BUDGET(S)

- Mayor's opening remarks;
- The CAO provided an introduction and brief summary of 2019, highlights included 2019 anomalies – IPM/Flood

Public Works

- The Manager of Public Works provided an introduction including an explanation of how priorities are arrived at (service requests, feedback from staff);
- The Manager gave an overview of the proposed 2020 capital plan including roads, asphalt, patching, brushing, ditching, sidewalks, crossings, culverts, bridges, lights and signage.

Community Services

- The Director of Community Services commenced with unfinished 2019 projects; elevator, lamp posts, Field covered rink, building condition assessment
- The Director then provided an overview of proposed 2020 capital projects, completion of Field covered rink, beach, Cache Bay outdoor rink, pool mechanical room equipment;
- Community Services does not have a fleet reserve and needs new 4x4 pick-up;
- Explanation regarding pool entrance & wall;
- During the discussion regarding playground upgrades – Councillors Séguin and Fisher requested additional funds be allocated to parks;
- The Director stated that it's a broader discussion concerning facilities.
- A request was made to obtain an update from Lavigne Community Centre as to how much money has been raised;
- Discussion about using Evansville money and parkland reserve to potentially fund park projects;

Fire

- Two new trucks only for fleet
- Discussion regarding used versus new equipment;
- The Chief explained what is involved in a Fire Master Plan

General Government

- Discussion about sound system;
- Livestream downstairs

Debt Position

- The Director of Corporate Services provided Council with a breakdown of the Municipality's loans and debt position(s);

LUNCH BREAK

C-2 2020 OPERATING BUDGET

- The Director of Corporate Services provided an overview of General Government including proposed taxation revenue, POA, PIL, fees and grants;
- The Director highlighted material changes including a funded temporary position for special projects and a new full-time financial analyst position;
- The CAO provided high-level overview of additional staff complements in several departments due to expanding requests and projects;
- A request was made to have the By-Law Enforcement shown separately;
- The CAO and Treasurer provided information to Council concerning the use of municipal reserves to off-set tax increases;
-

It was agreed that discussions would continue on January 28, 2019 at 6:30 p.m.

D) ADJOURNMENT / AJOURNEMENT

- D-1** A resolution was passed to adopt By-law **2020/10** confirming the proceedings of Council at its meeting held on January 25, 2020.

No. 2020/038 Moved by: Councillor Duhaime
Seconded by: Councillor Séguin

BE IT RESOLVED THAT By-law No. **2020/10** being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 25th day of January 2020, shall come into force and take effect on the date it is passed.

CARRIED

- D-2** A resolution was passed to adjourn the meeting of Council.

No. 2020/039 Moved by: Councillor Séguin
Seconded by: Councillor Duhaime

BE IT RESOLVED THAT the meeting of Council held on January 25, 2020 be adjourned.

CARRIED

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

**MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN COUNCIL CHAMBERS
ON MONDAY, JANUARY 27, 2020 AT 6:30 PM**

PRESENT: MAYOR JOANNE SAVAGE
COUNCILLOR CHRISTOPHER FISHER
COUNCILLOR ROLAND LARABIE
COUNCILLOR LÉO MALETTE
COUNCILLOR DAN ROVEDA
COUNCILLOR JEREMY SÉGUIN
COUNCILLOR DENIS SÉNÉCAL
COUNCILLOR LISE SÉNÉCAL

ABSENT: COUNCILLOR YVON DUHAIME

A) DECLARATION OF PECUNIARY INTEREST / DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES

Councillor Yvon Duhaime was not present having declared a conflict of interest in the subject matter of the meeting due to personal involvement in the subject matter.

B) AGENDA / ORDRE DU JOUR

B-1 A resolution was passed to adopt the Agenda.

No. 2020/040 Moved by: Councillor Larabie
Seconded by: Councillor Fisher

BE IT RESOLVED THAT the Agenda for the meeting of Council held on January 27, 2020 be adopted as
☒ presented / ☐ amended.

CARRIED

C) CLOSED MEETING / RÉUNION À HUIS-CLOS

C-1 A resolution was passed to proceed into closed meeting.

No. 2020/041 Moved by: Councillor Fisher
Seconded by: Councillor Larabie

BE IT RESOLVED THAT we proceed into closed meeting as authorized in Section 239 (2) of the Municipal Act, to discuss the following:

- (B)** personal matters about an identifiable individual, including municipal or local board employees;
- (F)** advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (i)** Human Resource Matter – Complaint

CARRIED

C-2 A resolution was passed to adjourn the closed session

No. 2020/042 Moved by: Councillor Larabie
Seconded by: Councillor Fisher

BE IT BE IT RESOLVED THAT the Closed meeting of Council held on January 27, 2020 be adjourned at
7:49 PM in order to proceed with the regular meeting

CARRIED

D) ADJOURNMENT / AJOURNEMENT

D-1 A resolution was passed to adopt By-law **2020/11** confirming the proceedings of Council at its meeting held on January 27, 2020.

No. 2020/043 Moved by: Councillor Fisher
 Seconded by: Councillor Larabie

BE IT RESOLVED THAT By-law No. 2020/11 being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 27th day of January 2020, shall come into force and take effect on the date it is passed.

CARRIED

D-2 A resolution was passed to adjourn the meeting of Council.

No. 2020/044 Moved by: Councillor Larabie
 Seconded by: Councillor Fisher

BE IT RESOLVED THAT the SPECIAL meeting of Council held on January 27, 2020 be adjourned.

CARRIED

JOANNE SAVAGE,
MAYOR

MELANIE DUCHARME,
CLERK

CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING /
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

**MINUTES OF THE COUNCIL BUDGET MEETING
HELD IN COUNCIL CHAMBERS
ON TUESDAY, JANUARY 28, 2020 AT 6:30 PM**

PRESENT: MAYOR JOANNE SAVAGE
COUNCILLOR YVON DUHAIME
COUNCILLOR CHRISTOPHER FISHER
COUNCILLOR ROLAND LARABIE
COUNCILLOR LÉO MALETTE
COUNCILLOR DAN ROVEDA
COUNCILLOR JEREMY SÉGUIN
COUNCILLOR DENIS SÉNÉCAL
COUNCILLOR LISE SÉNÉCAL

ABSENT:

A) DECLARATION OF PECUNIARY INTEREST / DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES

Councillor Duhaime declared a conflict in Item D – Closed Session (addendum) due to his involvement in the matter.

B) AGENDA / ORDRE DU JOUR

B-1 A resolution was passed to adopt the Addendum

No. 2020/045 Moved by: Councillor D. Sénécal

Seconded by: Councillor Malette

BE IT RESOLVED THAT the Addendum for the meeting of Council held on January 28, 2020 be adopted as ☒ presented / ☐ amended.

CARRIED

B-2 A resolution was passed to adopt the Agenda.

No. 2020/046 Moved by: Councillor Malette

Seconded by: Councillor D. Sénécal

BE IT RESOLVED THAT the Agenda for the SPECIAL BUDGET meeting of Council held on January 28, 2020 be adopted as ☒ presented / ☐ amended.

CARRIED

C) CONTINUATION - 2020 BUDGET PRESENTATIONS & DELIBERATIONS / SUITE DES PRÉSENTATIONS ET DISCUSSIONS BUDGÉTAIRES POUR L'ANNÉE 2020

Prior to commencing the budget discussion, Councillor Denis Sénécal asked for an update on the matter of the analysis of island properties and area rating. The CAO and the Treasurer indicated that time constraints due to budget have not permitted the full requested analysis. It was identified that an email has been received from island property owners requesting an update. A discussion ensued concerning area rating. It was agreed that the matter be further discussed at the General Government committee at the next meeting.

FIRE :

Due to a personal matter, the Treasurer presented the Fire Department Budget on behalf of the Fire Chief. Increases in the fire department include a transfer to reserve and some increased vehicle costs as a result of increasing fuel costs and fleet maintenance. Questions arose concerning a decontamination unit and the CAO indicated that he would follow up with the Fire Chief, however it is intended that the existing area next to the sally-port will be used by the fire department.

POLICE :

The Treasurer provided a summary of the temporary site costs. The Treasurer also provided a detailed statement for each of the WNPS and OPP for the short year(s) that each had policing responsibility during 2019. Questions were addressed concerning the transition costs and construction loans. Questions also arose concerning the new

facility and the CAO indicated that a full report on the construction time-lines will be brought at a future committee meeting.

COMMITTEES:

The Director of Community Services provided information concerning small amount attributed to the Heritage Committee for a commemorative plaque for the West Nipissing Police Service. Council was agreeable.

SERVICE PARTNERS:

- Proposed budgets for service partners including DNSSAB, Health Unit, Au Chateau and animal control.
- Councillor Roveda provided some information concerning the “reset” of the Health Unit’s initiative. The Mayor expressed an interest in having the Health Unit come and make a presentation to Council on the programs and services being provided to West Nipissing.
- Increases are being seen in levies for both Au Chateau and DNSSAB. Councillor Séguin asked about the Animal Control and the CAO indicated that there have been recent issues and that staff are addressing concerns. The matter will be looked at more closely as the final year of the contract draws to a close. It was requested that the SPCA be asked to come as soon as possible to provide information as to their services. Councillor Fisher asked for year over year statistics concerning impounding, etc.

MOTION FOR RECESS: At 7:50 PM, a motion was tabled for a 10 minute recess and then continue with discussions:

Moved by: Councillor Fisher
Seconded by: Councillor L. Sénécal

CARRIED

PUBLIC WORKS

- The Manager provided a brief overview of the responsibilities of the Public Works department including responding to over 4000 service requests during 2019.
- The Manager indicated that improved communication with residents is a goal and Councillor Seguin queried whether the new website can be used to improve communication with residents on specific projects.
- Increase in salaries are due to a proposed increased in a full time FTE for a vehicle mechanic which will result in a reduction in the vehicle expense line item. A discussion ensued regarding the benefits of acquiring such a position.
- The Mayor requested a list of added complements to the PW department over the recent past.
- The Treasurer provided an explanation of the significant increases in insurance costs.
- The Mayor requested that staff investigate whether a lower insurance provider can be sought.
- A further discussion about the additional FTE request took place.

Council agreed that Budget discussions continue on February 5th, 2020.

D) ADDENDUM / ADDENDA

CLOSED SESSION / SESSION À HUIT-CLOS

D-1 A resolution was passed to proceed into closed meeting.

No. 2020/047 Moved by: Councillor D. Sénécal
Seconded by: Councillor Malette

BE IT RESOLVED THAT we proceed into closed meeting as authorized in Section 239 (2) of the *Municipal Act*, to discuss the following:

- (B) personal matters about an identifiable individual, including municipal or local board employees;
- (F) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (i) Human Resource Matter – Complaint

CARRIED

D-2 A resolution was passed to adjourn the closed session

No. 2020/049 Moved by: Councillor D. Sénécal,
Seconded by: Councillor Malette

BE IT BE IT RESOLVED THAT the CLOSED meeting of Council held on January 28, 2020 be adjourned at 9:57 PM in order to proceed with the regular meeting

CARRIED

E) ADJOURNMENT / AJOURNEMENT

- E-1** A resolution was passed to adopt By-law **2020/12** confirming the proceedings of Council at its meeting held on January 28, 2020.

No. 2020/050 Moved by: Councillor D. Sénécal
Seconded by: Councillor Malette

BE IT RESOLVED THAT By-law No. **2020/123** being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 28th day of January 2020, shall come into force and take effect on the date it is passed.

CARRIED

- E-2** A resolution was passed to adjourn the meeting of Council.

No. 2020/051 Moved by: Councillor D. Sénécal
Seconded by: Councillor Malette

BE IT RESOLVED THAT the meeting of Council held on January 28, 2020 be adjourned.

CARRIED

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE WEST NIPISSING ENVIRONMENTAL SERVICES
HELD ON NOVEMBER 25th, 2019
HELD IN COUNCIL CHAMBERS**

DIRECTORS PRESENT: SEGUIN, Jeremy
 ROCHON, Ginette
 ALLAIRE, Louise (teleconference)
 MARLEAU, Ray (teleconference)
 LARABIE, Roland
 OLIVIER, Dan (teleconference)

ABSENT: BIZIER, Bertrand

STAFF: SULLIVAN, Jason (Manager)

RECORDING SECRETARY: LEVAC, Chantale

Meeting was called to order at 6:01 p.m.

- 1. DECLARATION OF PECUNIARY INTEREST None**
- 2. ADOPTION OF THE AGENDA**

Resolution number 2019-11-01

Moved by: Jeremy Seguin

Seconded by: Roland Larabie

BE IT RESOLVED THAT the agenda for the Regular Meeting held November 25th, 2019 be adopted as presented.

-CARRIED

- 3. APPROVAL OF MINUTES**

Resolution number 2019-11-02

Moved by: Roland Larabie

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the following minutes be adopted as presented.

- 1. August 19th , 2019 Regular Meeting**

-CARRIED

Minutes of the Regular meeting held November 25/19

4. FINANCIAL MATTERS

a) Disbursements

Resolution number 2019-11-03

Moved by: Jeremy Seguin

Seconded by: Roland Larabie

THAT the following West Nipissing Environmental Services expenditures be received as printed and that same be attached to form part of this resolution

August 2019	\$227,649.32
September 2019	\$151,057.80
October 2019	\$128,959.65

-CARRIED

Mr. Sullivan proceeded to answer questions and comments regarding the disbursements list.

b) Budget& Reports

Mr. Sullivan proceeded to go through the Income Statement.

- Recycling material income is low
- Professional fees/ Lawyers invoices has impacted this line item
- Misc line item has increased since we had to rent a truck from Nipissing First Nation to help us while our recycling truck is out of commission. It was suggested that when a line item increases or decreases considerably that a note be added at the bottom of the income statement with explanation. The Members also inquired if this expense should appear under operating expenses. Mr. Sullivan is to verify with Brigitte the best way to record this new expense incurred.

5. MANAGER'S REPORT

a) Contaminated Soil

A job was secured with Parry Island to haul contaminated soil. 240 quad axle has been hauled giving WNES an approximate revenue of \$190,000.00. This soil can be used for our daily operations has cover up. Since we have hauled in 6200 cubic meter of soil and our yearly maximum in 5000 cubic meter the Manager has made arrangements with MNR to borrow some space from next year availability. Proper forms and regulations were undertaken before going over our limit

c) Surplus Equipment

The Manager informed the members that a resolution was required in order to declare the following equipment surplus. After a brief discussion the following resolution was passed.

Minutes of the Regular meeting held November 25/19

Resolution number 2019-11-04

Moved by: Roland Larabie

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the equipment described herein be declared as surplus for West Nipissing Environmental Services and the board authorizes the Manager to dispose of the said surplus equipment.

1. 2012 International Truck

-CARRIED

- d) Drone Survey
Pinchin Ltd. is the environmental consulting company that has flown a drone over the Sturgeon Landfill to enable us to establish a baseline information to determine the capacity of this site. This Capacity Report will help us put a plan in place for the expansion site and also let us know what capacity is left in the current site.
- c) New Truck
The new truck arrived in North Bay a few weeks ago and has been sent to Fenotec to install the box
- d) Purchase of Plow Truck from PW
Public Works has a 2014 1 tonne sander/plow truck that is too big for them. The Manager explained to the members that this piece of machinery would definitely be an asset for the landfill. Following a discussion the members approve the purchase of the vehicle up to a maximum of \$25,000.00. Once the Municipality declares it a surplus and that both the PW and WNES managers agree on a price a resolution will be passed to proceed with the actual transfer.
- e) Purchase of pickup truck – to be discussed at a later date

6. **NEW BUSINESS:** None

7. **UNFINISHED BUSINESS:** None

8. **NEXT MEETING:**

Regular Meeting

January 20/20 6:00 p.m.

Minutes of the Regular meeting held November 25/19

9. ADJOURNMENT:

Resolution number 2019-11-05

Moved by: Jeremy Seguin

Seconded by: Roland Larabie

BE IT RESOLVED THAT this meeting be adjourned at 6:51p.m.

-CARRIED



Chairperson



Recording Secretary

A regular meeting of the Board of Health for the North Bay Parry Sound District Health Unit was held on Wednesday, December 4, 2019, at 345 Oak Street West, North Bay, Ontario.

PRESENT:

Nipissing District:

Central Appointee

Dave Butti

Central Appointee

Stuart Kidd

Central Appointee

Scott Robertson

Eastern Appointee

Dean Backer

Western Appointee

Dan Roveda

South Eastern Appointee

Marianne Stickland

Parry Sound District:

North Eastern Appointee

Blair Flowers

Western Appointee

Don Brisbane *(Vice-Chairperson)*

Public Appointees:

Gary Guenther

Mike Poeta

ALSO IN ATTENDANCE:

Medical Officer of Health/Executive Officer

Dr. Chirico

Executive Director, Finance

Isabel Churcher

Master of Public Health Student

Dr. Carol Zimbalatti

REGRETS:

Central Appointee

Nancy Jacko *(Chairperson)*

Central Appointee

Tanya Vrebosch

RECORDER:

Management Administrative Assistant

Sheri Beaulieu

1.0 CALL TO ORDER

Don Brisbane, Board of Health Vice-Chairperson called the Board of Health meeting to order at 6:05 p.m.

Board members were asked to reflect on the changes to public health in the past year; consider how municipal representatives can connect with policy makers and potentially influence outcomes, consider opportunities that could potentially be found throughout the modernization process, and recognize the stress that Health Unit staff may be feeling in this time of transition.

2.0 APROVAL OF THE AGENDA

The agenda for the December 4, 2019, Board of Health meeting was reviewed. Addition of 11.1, an in camera session was added to the agenda. The following motion was read:

Board of Health Resolution #BOH/2019/12/01 *Poeta/Robertson

Be It Resolved, that the Board of Health Agenda, dated December 4, 2019, be approved, as amended.

"Carried"

3.0 CONFLICT OF INTEREST DECLARATION

There were no conflicts of interest declared.

4.0 APPROVAL OF PREVIOUS MINUTES

4.1 Board of Health Minutes – September 25, 2019

The minutes from the Board of Health meeting held on September 25, 2019, were reviewed and the following motion was read:

Board of Health Resolution #BOH/2019/12/02 *Poeta/Robertson

Be It Resolved, that the minutes from the Board of Health meeting held on September 25, 2019, be approved as presented.

"Carried"

5.0 DATE OF NEXT MEETING

Date: January 22, 2020

Time: To be determined

Location: Nipissing Room, 345 Oak Street West, North Bay

The Vice-Chairperson extended wishes for a happy holidays.

6.0 BUSINESS ARISING

There was no discussion under Business Arising.

7.0 REPORT OF THE MEDICAL OFFICER OF HEALTH

The Report of the Medical Officer of Health dated November 21, 2019, was presented to the Board of Health for information purposes.

Questions and comments were received and addressed by the Medical Officer of Health.

8.0 COMMITTEE REPORTS

8.1 Finance and Property Committee

A Finance and Property Committee meeting was held prior to the Board of Health meeting; the following motions were read:

Board of Health Resolution #BOH/2019/12/03 *Poeta/Kidd

Be It Resolved, that on the recommendation of the Finance and Property Committee that the Board of Health for the North Bay Parry Sound District Health Unit approve the 2020 Board of Health Public Health Budget, as presented, with a total sharable base of \$16,668,567.

"Carried"

The following motion was a recorded vote at the Finance and Property Committee meeting.

Board of Health Resolution #BOH/2019/12/04 *Poeta/Kidd

Be it resolved, that the on the recommendation of the Finance and Property Committee that the Board of Health approve \$183,735 of the 2020 municipal levy be paid prorata from the municipal reserve.

"Carried"

9.0 CORRESPONDENCE

Board of Health correspondence listed for the December 4, 2019, meeting is made available for review by Board members in the Board of Health online portal.

10.0 NEW BUSINESS

10.1 Board of Health Policies

Board of Health policies require review and renewal once every two years, with the exception of four Personnel policies that require annual review and renewal.

The following Board of Health policies were brought forward for review and approval:

- B-G-002 – Appointment of Board of Health Members
- B-G-005 – Election, Term of Office, Duties, and Powers of the Chairperson and Vice-Chairperson of the Board of Health
- B-G-006 – Appointment, Term of Officer, Powers, and Duties for Committees of the Board of Health

- B-G-007 – Appointment-Recognition, Term and Duties of Board of Health Auditors and Legal Advisors for the Board of Health
- B-G-008 – Roles and Responsibilities of Board of Health and Members
- B-G-009 – Meeting Proceedings for Board of Health and Committees

The following motion was read:

Board of Health Resolution #BOH/2019/12/05 *Robertson/Stickland

Be It Resolved, that the Board of Health for the North Bay Parry Sound District Health Unit approve revisions to and renewal of Board of Health policy B-G-002, Appointment of Board of Health Members, as presented; and

Furthermore Be It Resolved, that the Board of Health approve revisions to and renewal of Board of Health policy B-G-005, Election, Term of Office, Duties, and Powers of the Chairperson and Vice-Chairperson of the Board of Health, as presented; and

Furthermore Be It Resolved, that the Board of Health approve revisions to and renewal of Board of Health policy B-G-006, Appointment, Term of Office, Powers, and Duties for Committee of the Board of Health, as presented; and

Furthermore Be It Resolved, that the Board of Health approve revisions to and renewal of Board of Health policy B-G-007, Appointment-Recognition, Term and Duties of Board of Health Auditors and Legal Advisors for the Board of Health, as presented; and

Furthermore Be It Resolved, that the Board of Health approve revisions to and renewal of Board of Health policy B-G-008, Roles and Responsibilities of Board of Health Members, as presented; and

Furthermore Be It Resolved, that the Board of Health approve revisions to and renewal of Board of Health policy B-G-009, Meeting Proceedings for Board of Health and Committees, as presented.

“Carried”

10.2 Association of Local Public Health Agencies (alPHA) Fall Symposium 2019 Report

Board of Health member, Nancy Jacko and Stuart Kidd attended the alPHA 2019 Fall Symposium in Toronto on November 6 -7, 2019. A written report of the event was provided for information purposes.

10.3 All Staff Holiday Celebration Luncheon Invitation

Invitation to the all staff holiday celebration luncheon was provided in the agenda package.

The following motion was read:

Board of Health Resolution #BOH/2019/12/06 *Robertson/Flowers

Whereas, the All Staff Holiday Celebration Luncheon will take place on December 11, 2019, from 12:00 to 1:00 p.m. at the East Ferris Community Centre, 1267 Village Road, Astorville, Ontario;

Be It Resolved, that the Board of Health for the North Bay Parry Sound District Health Unit authorizes Board of Health members to attend the Health Unit's All Staff Holiday Celebration Luncheon on Wednesday, December 11, 2019; and

Furthermore Be It Resolved, that the Board of Health approve Board of Health members' expenses related to attending the Holiday Season Celebration Luncheon in accordance with Board of Health Policy B-F-004, Remuneration.

"Carried"

10.4 Board of Health Meeting Schedule – Revision

A Finance and Property Committee meeting was not required for November; the following motion revising the Board of Health meeting schedule for 2019 was read:

Board of Health Resolution #BOH/2019/12/07 *Flowers/Poeta

Whereas, the Board of Health approved the regular meeting schedule for the year 2019 at the January 23, 2019, Board of Health meeting (#BOH/2019/01/05); and

Whereas, the regular meeting schedule was revised at the February 27, 2019, Board of Health meeting to eliminate the February 27, 2019, Finance and Property Committee from the regular meeting schedule (#BOH/2019/02/03); and

Whereas, the regular meeting schedule was revised to eliminate the November 27, 2019, Finance and Property Committee meeting from the regular meeting schedule; and

Now Therefore Be It Resolved, that in accordance with the Board of Health Bylaw Section II, #18, the Board of Health approve the meeting schedule for the year 2019, as further revised.

DATE	MEETING	TIME
January 23	Finance & Property Committee Board of Health Meeting	5 – 7 p.m.

DATE	MEETING	TIME
February 27	Board of Health Meeting	5 – 7 p.m.
April 24	Personnel Policy, Labour/Employee Relations Committee Finance & Property Committee Board of Health	5 – 7 p.m.
June 26	Personnel Policy, Labour/Employee Relations Committee Finance & Property Committee Board of Health	5 – 7 p.m.
September 25	Finance & Property Committee Board of Health	5 – 7 p.m.
November 27	Finance & Property Committee Board of Health	5 – 7 p.m.
December 4	Finance & Property Committee Board of Health	5 – 7 p.m.

“Carried”

11.0 IN CAMERA

11.1 Information Explicitly Supplied in Confidence to the Local Board by a Crown Agency of the Province

Board of Health Resolution #BOH/2019/12/08 *Backer/Roveda

Be It Resolved, that the Board of Health for the North Bay Parry Sound District Health Unit move in camera at 6:34 p.m. to discuss Agenda Item #11.1, Information Explicitly Supplied in Confidence to the Local Board by a Crown Agency of the Province.

“Carried”

An update was provided.

Board of Health Resolution #BOH/2019/12/09 *Butti/Stickland

Be It Resolved, that the Board of Health for the North Bay Parry Sound District Health Unit rise and report at 7:01 p.m.

"Carried"

12.0 ADJOURNMENT

Having no further business, the Board of Health Vice-Chairperson adjourned the Board of Health meeting at 7:01 p.m.

Original Signed by Nancy Jacko

2020.01.22

Chairperson/Vice-Chairperson

Date (yyyy/mm/dd)

Original Signed by Sheri Beaulieu

2020.01.22

Sheri Beaulieu, Recorder

Date (yyyy/mm/dd)

Resolution No.

2020 /

FEBRUARY 4, 2020



The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest

Moved by / *Proposé par* :Seconded by / *Appuyé par* :

WHEREAS Council has sought legal advice pertaining to a municipal Human Resources Investigation matter;

AND WHEREAS there will be ongoing legal expenditures with respect to the Human Resources Investigation matter;

BE IT THEREFORE RESOLVED THAT Council hereby authorizes the Head of Council to authorize and approve invoice in the amount of \$ 945.81 for the period ending on December 12, 2019 relating to the current Human Resources Investigation matter.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

M-1

BY-LAW 2020/13

**BEING A BY-LAW OF THE MUNICIPALITY OF WEST NIPISSING
TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING
HELD ON THE 4th DAY OF FEBRUARY, 2020**

WHEREAS the Municipality of West Nipissing deems it desirable to confirm the proceedings of Council at its meeting held on the 4th day of February 2020, and each motion, resolution and other action passed and taken by the Council at its said meeting, is except where their prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

The Mayor of the Municipality and the proper officer of the Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approval where required and except where otherwise provided, the Mayor and the Clerk or Deputy Clerk is hereby authorized and directed to affix the Corporation Seal of the Municipality to all such documents.

ENACTED AND PASSED THIS 4th DAY OF FEBRUARY 2020 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK